

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

FOURTEENTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 29, 2003

The Senate was called to order at 9:30 o'clock A.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Gautreaux	Marionneaux
Adley	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—28		

ABSENT

Bajoie	Fontenot	McPherson
Bean	Heitmeier	Romero
Cravins	Johnson	Thomas
Fields	Jones, CD	
Total—11		

The President of the Senate announced there were 28 Senators present and a quorum.

Prayer

The prayer was offered by Rev. Rodney Woods, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

April 29, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 1183—

BY REPRESENTATIVES PINAC, ALEXANDER, BAUDOIN, BROOME, BRUCE, DANIEL, DURAND, FLAVIN, PIERRE, WALSWORTH, CROWE, DEVILLIER, FANNIN, FRITH, SCHWEGMANN, AND GARY SMITH AND SENATORS MICHOT, CRAVINS, AND HOYT

AN ACT

To enact Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.21 through 844.25, relative to an information and referral system; to provide for the authority of the Public Service Commission, to create a planning board to make recommendations to the commission, to provide for the requirements of the system and procedure for its planning, implementation, operation, and associated costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1499—

BY REPRESENTATIVES PITRE, DURAND, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To enact R.S. 3:4617(D) and (E), relative to the labeling of food products; prevents advertisement or sale of certain food products; provides relative to the definition of "cajun"; restricts use of the term "cajun" in advertising certain food products; prohibits deceptive packaging; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Senate Bills
and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 1071—

BY SENATOR BAJOEIE

AN ACT

To enact R.S. 46:1428, relative to day care centers; to provide for the establishment, operation, and funding of certain early childhood development and enrichment activity classes in day care centers; to provide for the administration of the program; to provide for the establishment of rules; to provide relative to the amount and distribution of funding; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1072—

BY SENATOR BAJOEIE

AN ACT

To amend and reenact R.S. 46:2682, relative to community care services; to provide for definitions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 23—

BY SENATOR HAINKEL

A RESOLUTION

To designate May 2003 as American Legion Auxiliary Poppy Month.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To designate May 2003 as American Legion Auxiliary Poppy Month.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Hines	Malone
Barham	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Lambert	Ullo
Total—24		

NAYS

Total—0

ABSENT

Bajoie	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Cravins	Heitmeier	Romero
Dupre	Johnson	Schedler
Fields	Jones, CD	Thomas
Total—15		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 42—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 38:2212(C)(2), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by means other than mail; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 42 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 7, delete "true"

On motion of Senator Dardenne, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 84—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 192—

BY SENATOR BOISSIERE

AN ACT

To enact Part VIII of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:2025 through 2029, relative to the Parochial Employees' Retirement System of Louisiana; to create and provide relative to an excess benefit plan for members of the fund; to provide for definitions, benefits, and contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 192 by Senator Boissiere

AMENDMENT NO. 1

On page 3, line 24, after "benefit participants." delete the remainder of the line.

AMENDMENT NO. 2

On page 3, delete lines 25 through 26 and insert "The Rabbi Trust shall be revocable unless and until made irrevocable pursuant to its terms, and shall be a non-tax qualified trust for federal income tax purposes."

AMENDMENT NO. 3

On page 6, line 18 after "transferred" insert "from the Rabbi Trust and to the retirement system." and delete the remainder of the line.

AMENDMENT NO. 4

On page 6, delete line 19 in its entirety.

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 591—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:9029.2(A)(1), relative to cooperative endeavors involving the state; to require approval of public contracts for such cooperative endeavors by the State Bond Commission prior to execution; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 591 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, delete "To amend and reenact R.S. 33:9029.2(A)(1)," and insert in lieu thereof "To enact R.S. 33:9029.2(C),"

AMENDMENT NO. 2

On page 1, line 7, delete "(A)(1) is hereby amended and reenacted" and insert in lieu thereof "(C) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 10 through 15 in their entirety

AMENDMENT NO. 4

Delete page 2 in its entirety

AMENDMENT NO. 5

On page 3, delete lines 1 and 2 in their entirety

AMENDMENT NO. 6

On page 3, between lines 3 and 4 insert the following:

"R.S. 33:9029.2(C) is all proposed new law.

(C) Notwithstanding any other provision of law to the contrary, any cooperative endeavor or other agreement providing for the expenditure, directly or indirectly, of any state funds which are used as the security, directly or indirectly, for bonds, notes, certificates, or other obligations for the repayment of borrowed money, whether taxable or tax exempt, shall be subject to State Bond Commission approval."

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 728—
BY SENATOR C. JONES

AN ACT

To enact R.S. 11:553(18), relative to Louisiana State Employees' Retirement System; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Boissiere, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 997—

BY SENATORS SCHEDLER AND HAINKEL

AN ACT

To amend and reenact R.S. 39:11(A) and R.S. 39:127(C), relative to the transfer and reallocation of space in state owned buildings or premises leased by the state; to provide with regard to the authority of the commissioner of administration and the division

of administration; to provide for prior approval by the Joint Legislative Committee on the Budget; to provide for applicability and for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 997 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, delete "39:127(B) and (C)," and insert "39:127(C),"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof the following: "the transfer and reallocation of space in state owned buildings or premises leased by the state; to provide with regard to the authority of"

AMENDMENT NO. 3

On page 1, line 10, delete "39:127(B) and (C) are" and insert "39:127(C) is"

AMENDMENT NO. 4

On page 2, at the beginning of line 6, delete "allocated" and insert "transferred or reallocated"

AMENDMENT NO. 5

On page 2, delete lines 11 through 19 in their entirety

AMENDMENT NO. 6

On page 3, line 3, delete "allocation,"

AMENDMENT NO. 7

On page 3, line 4, after "reallocation" delete the comma ","

On motion of Senator Dardenne, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**Senate Bills and Joint Resolutions
on Second Reading**

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 1047 (Substitute for Senate Bill No. 48)—
BY SENATOR HAINKEL

AN ACT

To designate a portion of Interstate 55 as the "Congressman Jimmy Morrison Highway".

On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1048 (Substitute for Senate Bill No. 993
by Senator Theunissen)—**

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES
FLAVIN, JOHNS, MORRISH AND STELLY

AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide for the employment of a port director including his qualifications and duties; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 829—

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(a), relative to the Department of Revenue including provisions; to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 830—

BY REPRESENTATIVES HAMMETT, BAYLOR, FARRAR, FAUCHEUX, HILL, HUNTER, LANDRIEU, ODINET, AND TOWNSEND AND SENATOR BARHAM

AN ACT

To enact R.S. 47:1607, relative to refunds issued to a taxpayer in error; to require the secretary to remove or reduce interest on certain refunds issued to a taxpayer in error; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 893—

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM
AN ACT

To amend and reenact R.S. 47:1511, relative to the authority of the secretary of the Department of Revenue to promulgate rules and regulations; to require compliance with the Administrative Procedure Act; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1036—

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM
AN ACT

To amend and reenact R.S. 47:1519(B), relative to the payment of taxes by electronic funds transfer; to authorize the secretary of the Department of Revenue to require electronic funds transfer for certain taxpayers; to provide for a date of delivery; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 1036 by Representative Hammett.

AMENDMENT NO. 1

On page 3, between lines 25 and 26 insert the following:

"(7) Notwithstanding any provisions of law to the contrary, the provisions of this Section shall not apply to individual income tax returns."

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1066—

BY REPRESENTATIVES HAMMETT AND HUNTER AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:306(A)(1)(b) and (3)(a) and (B)(4), relative to the state sales and use tax; to change the filing requirements; to provide with respect to dealer compensation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1750—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:301(10)(w), (13)(j), and (18)(j), relative to local sales and use taxes; to provide for definitions relative to the taxation of the sale of other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 1010 out of its regular order.

HOUSE BILL NO. 1010—BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:633(9)(d)(i), (ii), and (iii), to change the source of price data used to annually adjust the severance tax rate on natural gas, natural gasoline, casinghead gasoline, and other natural gas "liquids"; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—28		

NAYS

Total—0

ABSENT

Bajoie	Fontenot	McPherson
Bean	Heitmeier	Romero
Cravins	Johnson	Thomas
Fields	Jones, CD	
Total—11		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Recess

On motion of Senator Lambert, the Senate took a recess until 1:30 o'clock P.M.

After Recess

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen

Dean
Dupre
Ellington
Fields
Total—37

Jones, B
Lambert
Lentini
Malone

Thomas
Ullo

ABSENT

Bean
Total—2

Jones, CD

The President of the Senate announced there were 37 Senators present and a quorum.

Senate Business Resumed**Rules Suspended**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 29, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 59—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Richard Lipsey and Haspel Brothers on their seersucker suit product being designated by the *Wall Street Journal* as the "best overall, best value".

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To designate May 2003 as American Legion Auxiliary Poppy Month.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Senate Bills
and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 1073—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:1254(N)(6)(b) and (c), and 1254(U)(1), relative to motor vehicle dealership contracts; to provide for the cancellation of franchise dealership agreements; to provide for notice of cancellation or nonrenewal of a franchise agreement; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

SENATE BILL NO. 1074—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3384(B), relative to Firefighters' Pension and Relief Fund in the city of New Orleans; to increase the accrual rate of retirement benefits for members with twenty or more years of service; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

SENATE BILL NO. 1075—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to public meetings; to provide that public comments at school board meetings shall comply with the same standard as other public bodies; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 1076—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state and statewide public retirement or pension systems, funds, and plans; to require asset management companies that provide services to Louisiana state and statewide public retirement or pension systems, funds, or plans to have a physical place of business within this state; to authorize the investment of the assets of the systems, funds, and plans in small and emerging businesses, small business investment companies, and venture capital firms located within and outside of this state; to require Louisiana state and statewide public retirement or pension systems, funds, or plans to direct at least thirty percent of all investment trades through Louisiana incorporated and domiciled broker-dealers; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

SENATE BILL NO. 1077—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2455(G), relative to the Louisiana Quality Jobs Program; to provide for an annual audit by the Department of Economic Development to confirm an employer's eligibility under the program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

SENATE BILL NO. 1078—

BY SENATORS SMITH AND MCPHERSON

AN ACT

To amend and reenact R.S. 23:1195(A)(1), relative to workers' compensation; to authorize public entities to join certain group self-insurance funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 1079—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 6:101(B)(1), relative to the commissioner of the office of financial institutions; to provide for qualifications; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

SENATE BILL NO. 1080—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to provide incentives for tires processed outside of Louisiana; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

SENATE BILL NO. 1081—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 6:824(A)(1), relative to repayment of loans; to delete the minimum sixty-one day grace period; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

SENATE BILL NO. 1082—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 36:358(C), the introductory paragraph of R.S. 38:3076(A), and R.S. 49:968(B)(11), to enact R.S. 36:359(K) and 802.18, R.S. 38:3076(A)(24), 3087.136(4), and Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3097.1 through 3097.6, and to repeal R.S. 36:4(X) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, relative to ground water resources in the state of Louisiana; to provide for the powers, duties, functions, and responsibilities of the commissioner of conservation relative to ground water management; to create the Ground Water Resources Commission; to provide for the powers, duties, functions, and responsibilities of the commission; to provide for determination of critical ground water areas; to provide for preservation and management of ground water resources in critical ground water areas; to provide for duties of the Sparta Groundwater Conservation District and the Capital Area Groundwater Conservation District; to provide for registration for certain water wells; to provide for the Ground Water Management Task Force; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

SENATE BILL NO. 1083—
BY SENATOR SMITH

AN ACT

To enact R.S. 37:1182(22), relative to the powers and duties of the Louisiana Board of Pharmacy; to provide for rules to allow pharmacists to administer a nasal flu vaccine; to provide such administration of a nasal vaccine to be available only to specific age groups; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1084—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:301(B)(5), and to enact R.S. 27:311(L) and (M), 316.1, 353(2.1), and 355.1, relative to the Louisiana Gaming Control Law; to require certain persons to purchase video draw poker devices and slot machines from licensed distributors; to provide requirements for licensing certain persons; to provide for definitions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

Introduction of Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study common driver distractions, including communications technology and nontechnological activities, and submit recommendations to the legislature.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Waterfowl Study Commission to evaluate the waterfowl situation in Louisiana in order to make and recommend solutions and future management plans for Louisiana's waterfowl.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 29, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVES JACK SMITH AND DARTEZ
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges and the Louisiana Board of Regents to take steps necessary to provide for the expansion of the Morgan City Young Memorial Campus of the Louisiana Technical College.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVES JACK SMITH AND DARTEZ
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges and the Louisiana Board of Regents to take steps necessary to provide for the expansion of the Morgan City Young Memorial Campus of the Louisiana Technical College.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

Senate Concurrent Resolutions on Third Reading and Final Passage

The following Senate Concurrent Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 60—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Senator Don Hines on being honored by the American Heart Association as the recipient of the Louisiana Advocate of the Year Award and the Southeast Affiliates Advocate of the Year Award.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Holden	McPherson
Bajoie	Hollis	Michot
Cain	Hoyt	Mount
Chaisson	Irons	Romero
Dean	Johnson	Schedler
Dupre	Jones, B	Smith
Ellington	Lambert	Tarver
Fields	Lentini	Theunissen
Fontenot	Malone	Ullo
Total—30		

NAYS

Total—0

ABSENT

Barham	Cravins	Hines
Bean	Dardenne	Jones, CD
Boissiere	Heitmeier	Thomas
Total—9		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Senator Lambert in the Chair

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 24—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 41:1212(B)(1), relative to lease of school board land; to exempt the West Baton Rouge Parish School Board from advertisement and bid requirements when leasing sixteenth section school board land for agricultural purposes; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 98—

BY REPRESENTATIVES JOHN SMITH, DOWNER, MCDONALD, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNARD, NEVERS, POWELL, JANE SMITH, SWILLING, AND THOMPSON AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii) and to enact R.S. 17:3048.1(C)(2)(c)(v), relative to Tuition Opportunity Program for Students eligibility requirements applicable to children of certain military personnel and to students ordered to active duty in the United States armed forces or National Guard; to provide for the time period in which a nonresident on active duty with the United States armed forces who is stationed in Louisiana under permanent change of station orders must change his military records to establish Louisiana as his official home of record in order for a dependent child to be eligible for a Tuition Opportunity Program for Students award; to require the administering agency of the Tuition Opportunity Program for Students to provide by rule for a waiver procedure for certain program continuing eligibility requirements under specified circumstances and in accordance with certain conditions; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 111—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 14:72.3, relative to identification of an alleged offender; to provide that a victim of a crime involving theft of identity or personal information can obtain the identity of an alleged offender who is arrested for certain crimes; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 115—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and (2)(introductory paragraph), relative to criminal records; to provide that the sheriff shall attach, rather than affix, the fingerprints of each defendant convicted of a felony or of certain misdemeanors to the bill of indictment or information which resulted in the conviction; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 116—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:2616(A)(2), relative to the allocation of forfeited property; to delete the requirement that motor vehicles seized by law enforcement agencies and used in the course and scope of undercover surveillance and investigation of violations of the Uniform Controlled Dangerous Substances Law be sold after six months; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 121—

BY REPRESENTATIVES SHAW AND ILES
AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 154—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 18:463(A)(2) and to enact R.S. 18:495, relative to qualifying for public office; to provide for the notice of candidacy; to require certain certifications; to provide for actions objecting to candidacy under certain circumstances; to provide for payment of attorney fees and court costs under certain circumstances; to provide for criminal penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 156—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 15:501(B)(1), relative to evidence from criminalistics laboratories; to provide for the cross-examination of persons who performed an examination or analysis of evidence at a criminalistics laboratory; to provide for the use of certificates of analysis and to provide when such certificates shall not constitute prima facie proof of its contents or proper custody; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 216—

BY REPRESENTATIVES NEVERS AND STRAIN
AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the Washington Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds to prohibit certain actions and to provide penalties; to provide relative to the district's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 224—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:242(D)(1) and 412(A)(1) and to enact Chapter 7-A of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:571 through 627, relative to Louisiana trust companies; to provide authority and powers of trust companies; to provide for names of trust companies; to provide for capital requirements; to provide for application and charter procedures; to provide for insurance coverage; to provide for private trust companies; to provide for conversions; to provide for acquisition and ownership; to provide for investments; to provide for borrowing and pledge limits; to provide for criminal reporting; to provide for offices and branch offices; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 236—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 36:609(B)(4), relative to the responsibilities of the office of wildlife, Department of Wildlife and Fisheries; to provide that the firearm and hunter education programs shall be administered by the office of wildlife; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 456—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:3141.2(5)(introductory paragraph), relative to the definition of proprietary school; to provide that the definition of proprietary school includes schools which operate over the internet and which meet the other elements of that definition; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 506—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 44:36(D), relative to the preservation of certain records accumulated by the Department of Public Safety and Corrections, Corrections Services; to reduce the length of time records pertaining to adult offenders must be kept and not destroyed by the Department of Public Safety and Corrections, Corrections Services; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 522—

BY REPRESENTATIVES JANE SMITH, DAMICO, MONTGOMERY, PEYCHAUD, WADDELL, AND WOOTON
AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2418(M)(3), relative to the disposal of waste tires; to provide for fees collected on new tires; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 531—

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH
AN ACT

To enact R.S. 49:213.9, relative to property rights; to limit recovery for property taken or affected by coastal restoration; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 545—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 30:2054(B)(2)(b)(ix), relative to air quality control; to provide for powers of the secretary of the Department of Environmental Quality; to provide for an exemption from permitting regulations for certain sources of air emissions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 552—

BY REPRESENTATIVES BALDONE AND PIERRE
AN ACT

To amend and reenact R.S. 56:30.1 and 641.1(A), relative to commercial fishing licenses; to authorize the issuance of such licenses by electronic means; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 590—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:851, relative to fees in criminal matters in the Fortieth Judicial District Court; to require an additional fee in criminal matters, including traffic cases; to provide for use of the fee by the office of the clerk of court; to provide for an annual audit; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 597—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:47, relative to the Judicial Compensation Commission; to provide for legislative approval of the commission's report; to provide for an effective date for salary recommendations; to provide for procedures for approval of the concurrent resolution; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 640—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 56:1851(C), relative to the Natural and Scenic Rivers Act; to provide penalties for violations of that Act for which penalties are not specified; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 685—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3550(D)(2), (E)(1) and (3), (G)(1), (2), (3)(a)(introductory paragraph), (iii) and (iv), (b), and (c), and (4), and (H) and to enact R.S. 9:3550(D)(1)(d), relative to premium finance companies; to provide for electronic notification; to provide for cancellation of insurance policies; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 695—

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, CAPELLA, DAMICO, GREEN, LANCASTER, AND TOOMY

AN ACT

To amend and reenact R.S. 44:11(C) and to enact R.S. 44:11(A)(4), relative to public records; to provide that certain information in the personnel records of public employees is confidential under certain circumstances; to authorize disclosure of such information under certain circumstances; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 703—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.26(D), relative to motor vehicle sales finance; to provide relative to gap insurance coverage; to provide relative to lenders; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 712—

BY REPRESENTATIVES HAMMETT, KENNEY, AND THOMPSON

AN ACT

To enact Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.207, relative to Lake St. Joseph in Tensas Parish; to create the Lake St. Joseph Recreation and Water Conservation District; to create and provide for a board of commissioners of such district; to provide for the powers and duties of the district and the board; to authorize the board to levy taxes and parcel fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the Department of Transportation and Development with respect to the district; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 733—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:2496.3(H) and to enact R.S. 13:2496.3(G)(6) and (7), relative to the first appearance hearing officer of the Municipal Court of New Orleans; to provide for additional duties of the office; to provide for the provisions terminating the office and evaluation by the Judicial Council on continuing the office; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 749—

BY REPRESENTATIVES CAZAYOUX, ARNOLD, BAUDOIN, BEARD, DOWNS, FANNIN, FRITH, HILL, ODINET, SCHNEIDER, AND JACK SMITH

AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard are eligible for a resident active military license; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 750—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 17:239, to prohibit the use or operation of any electronic telecommunication device by a student in any public elementary and secondary school or on the grounds thereof or in any school bus used to transport public school students; to provide exceptions; to provide relative to penalties; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 766—

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact R.S. 49:214.5, relative to coastal restoration; to provide that state and political subdivisions shall be held harmless; to provide for applicability to certain claims; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 775—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951(A), relative to the South Tangipahoa Parish Port Commission; to provide relative to the compensation paid to members of such commission; to prohibit compensation, per diem, or travel reimbursement to be paid to such commissioners; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 807—

BY REPRESENTATIVES DURAND AND DAMICO

AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response

Act; extends period for collection of certain fees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 845—

BY REPRESENTATIVES MARTINY, ANSARDI, CAPELLA, DAMICO, LANCASTER, SCALISE, AND TOOMY AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 15:703, relative to prisoners in parish jails; to provide with respect to the duties, obligations, and liability of parish governing authorities for medical care required to be provided for prisoners in parish jails; to provide with respect to procedures for prisoners for damages which occur as a result of the medical care which is provided for those prisoners; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 848—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Evidence Article 801(D)(1)(a), relative to hearsay; to provide relative to the exception for prior inconsistent statements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 874—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 886—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 898—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 34:1652(C)(20) and to enact R.S. 34:1662, relative to the Greater Lafourche Port Commission; to provide relative to the commission's authority to make road and bridge improvements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 961—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383.2, relative to municipal elections; to authorize the governing authority in certain municipalities to hold municipal elections at the same time as the gubernatorial election; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 987—

BY REPRESENTATIVES DEWITT, DANIEL, FAUCHEUX, HAMMETT, HILL, L. JACKSON, ODINET, AND TOWNSEND AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1003—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 38:291(D)(1), relative to levee boards and districts; to provide for clarification of the levee district comprised of a certain portion of Jefferson Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1032—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1090—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:1236.27, relative to St. Helena Parish; to authorize the governing authority of the parish to enter into a cooperative endeavor with the St. Helena Parish Hospital Service District Number One for the public purpose of providing health care; to authorize the parish governing authority to provide financial support out of general funds of the parish or other available funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1172—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 13:1384, relative to criminal district courts; to provide for certain positions or office; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1196—BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 25:380.52(C), relative to the Louisiana Delta Music Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1197—BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 25:379.1(C)(2)(a), relative to the Louisiana State Exhibit Museum; to change the membership of the governing board of the museum; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1198—BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 25:380.1(C)(2)(a) and (c), relative to the Louisiana State Cotton Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1283—BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 18:425(B)(4); to allow students age seventeen who are seniors in high school to serve as commissioners on election day; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1334—BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2074(B)(9), relative to water quality; to provide for an effluent reduction credit banking system; to provide for rules and regulations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 1493—BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH,
BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES,
KENNEY, JACK SMITH, AND STRAIN
AN ACT

To amend and reenact R.S. 3:1734, relative to sweet potato inspection fees; to create the Sweet Potato Pests and Diseases Fund; to provide for disposition of funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Agriculture.

HOUSE BILL NO. 1496—BY REPRESENTATIVES DOWNER, ARNOLD, CURTIS, DIEZ, ERDEY,
FUTRELL, HUTTER, ILES, KENNARD, POWELL, QUEZAIRE, SHAW, AND
TUCKER
AN ACT

To amend and reenact R.S. 44:4.1(B)(19) and to enact Subpart E of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised

Statutes of 1950, to be comprised of R.S. 34:340.21, relative to port commissions, districts, and authorities; to require port commissions, districts, and authorities to implement a port security and safety plan for maritime facilities and vessels; to require said commissions, districts, and authorities to enter into cooperative endeavor agreements with certain federal, state, local, and other governmental agencies for implementation of such plan; to provide that security and safety plans be exempted from public records law; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1562—BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 37:3118(A)(1)(f), 3129(A), and 3130 and to enact R.S. 37:3115.1 and 3129(C), relative to auctioneers; to provide for educational requirements for auctioneers and auction businesses; to authorize auctioneers to bid on behalf of an absentee bidder under certain circumstances; to authorize the taking of bids by telephone or other electronic means; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1598—BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 34:1959 and 1961 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1644—BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To enact R.S. 23:1541.1, relative to unemployment compensation; to provide for an appellate procedure for chargeability determinations; to provide for the issuance of a determination of chargeability; to provide for notice of determination; to provide for review by the administrator; to provide for judicial review; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1645—BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1541(5)(a), relative to unemployment compensation; to repeal the limit on employer contributions to a portion of benefits charged; to authorize payment of contributions in any amount to an employer's experience-rating account; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1646—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1634(A), relative to unemployment compensation judicial review; to provide a venue for appeals for out-of-state unemployment compensation claimants; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1647—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1539(A), relative to unemployment contributions; to clarify that employees shall be considered assets of a business when determining if an acquisition has occurred; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1648—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1669(C), relative to unemployment compensation; to provide that a flat contingency fee be paid to collection attorneys; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1747—

BY REPRESENTATIVES BROOME, M. JACKSON, AND WELCH
AN ACT

To enact R.S. 33:1236(21)(h), relative to the cutting of grass and obnoxious weeds in the parish of East Baton Rouge; to require the governing authority of the parish to provide additional notice to property owners who fail to cut such grass and weeds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1773—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1774—

BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1789 (Substitute for House Bill No. 465 by Representative Martiny)—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:301(B)(16) and 311.1 through 311.6, relative to the Video Draw Poker Devices Control Law; to provide for the issuance of video draw poker employee permits; to provide for definitions; to require a video draw poker employee permit to work as a video draw poker employee; to provide definitions; to provide for classes of permits; to provide for suitability determinations; to provide for the term of a video draw poker employee permit; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1790 (Substitute for House Bill No. 1117 by Representative Downer)—

BY REPRESENTATIVE DOWNER
AN ACT

To enact R.S. 40:1401, relative to the Department of Public Safety and Corrections, office of state police; to provide for rights of employees, officers, and agents of the office while under investigation; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

AGRICULTURE

Senator Smith, Chairman on behalf of the Committee on Agriculture, submitted the following report:

April 29, 2003

To the President and Members of the Senate:

I am directed by your Committee on Agriculture to submit the following report:

SENATE BILL NO. 333—

BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 14:212(A), relative to offenses against property; to provide that willfully or knowingly making false statements relative to the ownership interest, tract name or property description of forest products during a transaction is a crime; to provide criminal penalties therefor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 627—

BY SENATOR IRONS
AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(c) and (B)(1), relative to offenses affecting the public sensibility; to provide relative to cruelty to animals; to provide relative to the care of animals; to provide relative to the killing of animals; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 130—BY REPRESENTATIVE JOHN SMITH
AN ACT

To authorize the commissioner of the Department of Agriculture and Forestry to exchange certain property in Beauregard Parish with the Cooper Cemetery Association; to provide for property descriptions; to provide for the reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1226—BY REPRESENTATIVE THOMPSON AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 3:264(B)(introductory paragraph), 266(19), 314(C), 414, 446.5(G), 543(C), 544(B)(5), 1604(A)(3), 3391.5(A), and 4402(A), R.S. 15:1153(B)(2)(d), and R.S. 49:327.1(N), 327.2(P), and 968(B)(18), relative to the House and Senate agriculture committees; to change various statutes to provide for the House and Senate Committees on Agriculture, Forestry, Aquaculture and Rural Development; and to provide for related matters.

Reported favorably.

Respectfully submitted,
SENATOR MIKE SMITH
Chairman

REPORT OF COMMITTEE ON**JUDICIARY C**

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 29, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

SENATE BILL NO. 9—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:1421(C), relative to participation by sheriffs in a deferred compensation plan; authorizes participation by sheriffs in the matched portion of an eligible deferred compensation program established pursuant to Section 457 of the Internal Revenue Code; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 320—

BY SENATOR CHAISSON

AN ACT

To amend R.S. 14:98(A)(1)(d) and (e), relative to the offense of driving while intoxicated; to provide relative to driving under the influence of a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; to provide relative to driving under the influence of a combination of alcohol and a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 373—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 44:9(A), relative to criminal records; to provide relative to court ordered expungement of arrest records; to authorize a processing fee for such expungement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 406—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:32.1(A)(5) and (6), 39.1(A)(4) and (5), and 39.2(A)(4) and (5), relative to crimes related to assault and battery; to provide relative to vehicular homicide, vehicular negligent injuring, and first degree vehicular negligent injuring; to eliminate certain elements of such crimes; to provide for the lack of such elements to be available as an affirmative defense to certain charges of such crimes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 711—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 14:67.22, relative to crimes of misappropriation without violence; to provide relative to fraud; to create the crime of fraudulent acquisition of a credit card; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 752—

BY SENATOR LENTINI

AN ACT

To enact Code of Criminal Procedure Art. 324(A)(4), relative to bail; to provide relative to bail through cash deposits; to authorize the court in Jefferson Parish to reduce the percentage amount of the bail to be deposited; to authorize an administrative fee; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 767—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:666(A) and to enact R.S. 14:98.2 and R.S. 32:661(C)(1)(f), relative to crime; to create the crime of refusal to submit to chemical test of blood content of alcohol, controlled dangerous substances or abused substances after arrest for third and subsequent offense of driving while intoxicated; to require informing such arrested persons of the penalty for not submitting to the test; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 820—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 15:147(A)(1)(d), (e), (f), and (g), relative to right to counsel in criminal cases; to provide with respect to the defense of indigents; to provide for the collection of a one-time forty dollar fee from criminal defendants seeking representation by the indigent defender board; to provide for collection and distribution of fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 964—

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 14:403.2(D)(5), R.S. 14:403.2(E)(6) through (8), (F)(1), (G), (I)(2), (N)(1) through (4), relative to abuse and neglect of adults, to provide for reports to law enforcement; to provide access to information necessary for abuse and neglect investigations; to provide relative to hearings on abuse and neglect; to provide for both verbal and emergency protective orders; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 389 from the Committee on Judiciary A.

SENATE BILL NO. 389—

BY SENATOR SCHEDLER

AN ACT

To repeal R.S. 37:2364, relative to immunity for members of the Louisiana State Board of Psychologists and other persons; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

Motion to Recommit

Senator Lentini asked for and obtained a suspension of the rules and recommitted Senate Bill No. 323, which was on Third Reading and Final Passage, to the Committee on Finance.

Regular Order of the Day Resumed**Reconsideration**

On motion of Senator Cravins, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, April 28, 2003 was reconsidered.

SENATE BILL NO. 995—

BY SENATOR CRAVINS

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) relative to probation; to provide for revocation of probation; to provide for service of suspended sentence; to limit such incarceration for certain violations; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and returned to the Calendar, subject to call.

Mr. President in the Chair

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 551—

BY SENATORS B. JONES AND HOYT AND REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 36:459(A), R.S. 47:301(2), (3)(b), introductory paragraph of (4), (4)(a), (b), (c), (h), (j), and (l), (8)(b), (10)(a)(i), (ii), and (vi), (b), (c), and (l), (14)(g)(i) and (i)(i), (15), (16)(d)(i) and (i), (h)(i), (ii), (iii), and (iv), and (i), (18)(a)(i), and (19), 302(D), 305(A), (B), (C), the introductory paragraph of (D)(1), (D)(1)(j), (k), (l), (m), (n), (o), (p), (q), (r), (s), and (u), (2), (3), and (4), (E), (F), (G), and (H), 305.1(A) and (B), 305.3, 305.6, 305.7, 305.8, 305.13, 305.14(A)(1), 305.19, 305.26, 305.31(B), 305.36(A), 305.39, the introductory paragraph of 305.40(A), 305.42, and 305.48, to enact R.S. 47:301(25), (26), and (27), and Chapter 2D of Subtitle II of Title 47 of the Louisiana Revised Statutes to be comprised of R.S. 47:337.1 through 337.87, and R.S. 36:459(H), and to repeal R.S. 33:2713.1, 2716(A), 2716.1, 2716.2, 2717, 2718, 2718.1, 2718.2, 2718.3, 2718.4, 2718.5, 2719, 2720, 2720.1, 2737(G), 2741.1, 2844, 2844.1, 2844.2, 2845, 2845.1, 2846, and 2847, and R.S. 47:1515, relative to the sales and use tax of political subdivisions; to enact a uniform local sales tax code; to provide for the levy, collection, enforcement, and administration of local sales and use taxes; to provide for certain civil and criminal penalties; to provide for construction and interpretation of the code; to prohibit the state from assuming collection of local sales and use taxes; and to provide for related matters.

Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed Senate Bill No. 551 by Senator B. Jones

AMENDMENT NO. 1

On page 138, line 7, change "Civil Code Article 2924(B)(3)" to "**R.S. 13:4202(B)**"

AMENDMENT NO. 2

On page 138, line 10, change "Civil Code Article 2924(B)(3)(c)" to "**R.S. 13:4202(B)**"

On motion of Senator B. Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 551 by Senator B. Jones

AMENDMENT NO. 1

On page 23, line 8, delete the asterisks " * * * "

AMENDMENT NO. 2

On page 23, line 19, delete the asterisks " * * * "

AMENDMENT NO. 3

On page 24, line 10, delete the asterisks " * * * "

AMENDMENT NO. 4

On page 35, line 11, following "levying" and before "or" insert a comma ","

Page 16 SENATE

April 29, 2003

14th DAY'S PROCEEDINGS

AMENDMENT NO. 5

On page 66, line 9, following "obligations" and before "and" insert a comma ","

AMENDMENT NO. 6

On page 66, line 26, following "fails" and before "or" insert a comma ","

AMENDMENT NO. 7

On page 68, line 10, following "lessees" and before "or" insert a comma ","

AMENDMENT NO. 8

On page 71, line 25, following "jobbers" and before "or" insert a comma ","

AMENDMENT NO. 9

On page 72, line 6, following "jobbers" and before "and" insert a comma ","

AMENDMENT NO. 10

On page 72, lines 7 and 19, following "rules" and before "and" insert a comma ","

AMENDMENT NO. 11

On page 72, lines 21 and 24, following "jobbers" and before "and" insert a comma ","

AMENDMENT NO. 12

On page 75, line 17, at the beginning of the line insert "B."

AMENDMENT NO. 13

On page 76, line 14, following "aircraft" and before "or" insert a comma ","

AMENDMENT NO. 14

On page 101, line 19, following "syndicate" and before "or" insert a comma ","

AMENDMENT NO. 15

On page 101, line 21, following "accounts" and before "and" insert a comma ","

AMENDMENT NO. 16

On page 101, line 22, following "clarify" and before "or" insert a comma ","

AMENDMENT NO. 17

On page 101, line 23, following "penalty" and before "and" insert a comma ","

AMENDMENT NO. 18

On page 101, line 25, following "agent" and before "or" insert a comma ","

AMENDMENT NO. 19

On page 102, line 3, following "accounts" and before "and" insert a comma ","

AMENDMENT NO. 20

On page 103, lines 4 and 16, following "accounts" and before "or" insert a comma ","

AMENDMENT NO. 21

On page 115, line 26, following "penalty" and before "and" insert a comma ","

AMENDMENT NO. 22

On page 140, line 22, following "trustees" and before "or" insert a comma ","

AMENDMENT NO. 23

On page 141, line 5, following "trustees" and before "or" insert a comma ","

AMENDMENT NO. 24

On page 141, line 11, following "association" and before "or" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed Senate Bill No. 551 by Senator B. Jones

AMENDMENT NO. 1

On page 29, delete lines 2 and 3, and insert: "(2) Nothing in this Chapter is intended to increase or decrease the amount or type of taxes imposed by local taxing authorities, nor is it intended to repeal any taxes, exemptions, exclusions, credits, rebates, or refunds existing on the effective date of this Chapter, including those taxes ratified by Article VI, Section 31 of the Constitution of Louisiana."

AMENDMENT NO. 2

On page 33, between lines 3 and 4, insert: "(iii) After the regulation is finally adopted, amended, or repealed pursuant to the Administrative Procedure Act, any taxpayer or collector may file an action in any court of competent jurisdiction seeking a declaratory judgement to declare such regulatory action contrary to or inconsistent with the statute."

AMENDMENT NO. 3

On page 33, line 4, change "(iii)" to "(iv)"

AMENDMENT NO. 4

On page 36, delete lines 15 through 26, delete pages 37 through 42, and on page 43, delete lines 1 through 17, and insert:

"B. The words, terms, and phrases used in this Chapter shall have the same meaning ascribed to them as provided for in R.S. 47:301, unless the context clearly indicates a different meaning, except to the extent expressly limited in that Section."

AMENDMENT NO. 5

On page 43, line 18, delete "and exclusions"

AMENDMENT NO. 6

On page 43, line 20, delete "or exclusion"

AMENDMENT NO. 7

On page 43, line 23, delete "or exclusion" and at the end of the line delete the period "." and insert ", except as provided by R.S. 47:337.8(B)."

AMENDMENT NO. 8

On page 44, delete lines 5 through 10, and insert:

"B.(1) No exemption from state sales and use tax enacted or granted after the initial effective date of this Chapter shall be applicable to the sales and use tax imposed by local taxing authorities unless the exemption expressly states within its statutory language that it applies to sales and use taxes imposed by local taxing authorities.

(2) Any exemption enacted after the effective date of this Chapter that expressly states within its statutory language that it applies to sales and use taxes imposed by local taxing authorities

shall be effective as provided in the Act, and shall be added to this Chapter by the Law Institute pursuant to R.S. 47:337.87."

AMENDMENT NO. 9

On page 44, line 17, change "Exclusions and exemptions" to "Exemptions"

AMENDMENT NO. 10

On page 44, line 20, after "Chapter," insert "the Uniform Local Sales Tax Code,"

AMENDMENT NO. 11

On page 44, line 21, delete "and exclusions"

AMENDMENT NO. 12

On page 53, delete lines 9 through 12, and insert: "In addition to the provisions of law applicable to the sales and use taxes of local taxing authorities as provided for in this Chapter, the following provisions outside this Chapter, and no others, shall be applicable to the sales and use taxes of local taxing authorities. The use of "

AMENDMENT NO. 13

On page 146, line 16, after "2003" delete the remainder of the line and delete lines 17 through 19, and insert a period "."

On motion of Senator B. Jones, the amendments were adopted.

The bill was read by title. Senator B. Jones moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lambert	Ullio
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Bean	Jones, CD
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 597—

BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the state, through the division of administration, to transfer a certain tract of land situated in Rapides Parish to the England Economic and Industrial Development District; to provide for preparation of documents; to provide certain terms and conditions; to provide for effective date; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Holden	Smith
Chaisson	Hollis	Tarver
Cravins	Hoyt	Theunissen
Dardenne	Johnson	Thomas
Dean	Lambert	Ullio
Dupre	Lentini	
Ellington	Malone	
Total—34		

NAYS

Total—0

ABSENT

Bean	Jones, B	Michot
Irons	Jones, CD	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 826—

BY SENATOR C. JONES

AN ACT

To enact Subpart D-1 of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4770.1 through 4770.16, relative to the removal of dilapidated structures and noxious matters within the city of Monroe; to provide definitions; to provide for notification; to provide for the reporting of such structures; to provide for the liability of city council members and others; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 835—

BY SENATOR B. JONES

AN ACT

To enact R.S. 47:16.17 and 16.19, relative to the Tax Court; to require the court to establish fees for services rendered by the court and its small claims division; and to provide for related matters.

On motion of Senator B. Jones, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 846—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Columbia; to provide for the creation of a downtown development district; to provide for an eight member board to govern the district; to provide for the duties of the board; to establish the boundaries and duties of the district; to authorize the district to levy taxes and issue bonds; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 846 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 4, after "district" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete lines 5 and 6 in their entirety

AMENDMENT NO. 3

On page 1, line 7, delete "bonds"

AMENDMENT NO. 4

On page 1, delete lines 13 through 15 in their entirety

AMENDMENT NO. 5

On page 2, delete line 1 in its entirety

AMENDMENT NO. 6

On page 2, line 2, delete "B. Creation. (1)"

AMENDMENT NO. 7

On page 2, line 3, delete ", hereinafter referred to as the "district", "

AMENDMENT NO. 8

On page 2, line 4, after "created" delete the remainder of the line

AMENDMENT NO. 9

On page 2, line 5, change "business district" to "in accordance with city ordinance 93-4, adopted May 11, 1993, and any amendments thereto"

AMENDMENT NO. 10

On page 2, delete lines 6 through 26 in their entirety

AMENDMENT NO. 11

On page 3, delete lines 1 through 26 in their entirety

AMENDMENT NO. 12

On page 4, delete lines 1 through 26 in their entirety

AMENDMENT NO. 13

On page 5, delete lines 1 through 26 in their entirety

AMENDMENT NO. 14

On page 6, delete line 1 in its entirety

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero

Chaisson
Cravins
Dean
Dupre
Ellington
Total—33

Hollis
Hoyt
Johnson
Jones, B
Lambert

Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bean
Dardenne
Total—6

Irons
Jones, CD

Marionneaux
Schedler

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 847— BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Winnsboro; to provide for the creation of a downtown development district; to provide for a ten member board to govern the district; to provide for the duties of the board; to establish the boundaries and duties of the district; to authorize the district to levy taxes and issue bonds; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—35

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Johnson
Jones, B
Lambert
Lentini

Malone
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bean
Irons
Total—4

Jones, CD
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 4— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 43:111.1, relative to public advertising; to prohibit the expenditure of any state funds for advertisement which mentions any elected official whether elected or

appointed; to prohibit expenditure of public funds by any public entity for advertisement which mentions any elected official whether elected or appointed; to provide exceptions; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

Senator Lambert in the Chair

SENATE BILL NO. 23—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 24:14(G) and to enact R.S. 24:14(K), relative to Senate confirmation; to require certain persons appointed to boards and commissions who require Senate confirmation be reconfirmed at the beginning of each legislative term; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 23 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 24:14" delete the remainder of the line and insert "(A), relative to"

AMENDMENT NO. 2

On page 1, line 3, after "confirmation;" delete the remainder of the line and delete lines 4 and 5, and insert the following: "to provide for removal from office upon expiration of an appointed term; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 24:14" delete the remainder of the line and delete line 8, and insert "(A) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 10 through 15 and on page 2, delete lines 1 through 13 and insert the following:

A. (1) Whenever an appointment to public office, whether to a board, commission, committee, or district, or to an executive or other office in the executive branch of state government or in a local governmental entity, and whether to fill an initial or succeeding full term of office or the unexpired portion of a term of office, is made by the governor, the governor shall submit the appointment to the Senate for confirmation.

(2)(a) When a person is appointed by the governor pursuant to Article IV Section 5 of the Louisiana Constitution and serves at the pleasure of the governor or serves concurrent with the term of the governor and his appointment expires, if he is not reappointed as provided by law, he shall be deemed automatically removed from office October 31 of the year the new term of office for the governor begins.

(b) However, if a person serves an appointed term fixed by law and his term expires, if he is not reappointed as provided by law, he shall be deemed automatically removed from office at the end of the next legislative session.

* * *

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Marionneaux moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Cain	Heitmeier	McPherson
Chaisson	Hines	Michot
Cravins	Holden	Mount
Dardenne	Hollis	Romero
Dean	Hoyt	Schedler
Dupre	Johnson	Smith
Ellington	Jones, B	Tarver
Fields	Lentini	
Total—29		

NAYS

Mr. President	Irons	Ullo
Bajoie	Lambert	
Boissiere	Theunissen	
Total—7		

ABSENT

Bean	Jones, CD	Thomas
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 30—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to the compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dupre	Irons	Tarver
Ellington	Johnson	Theunissen
Fields	Lambert	Ullo
Total—30		

NAYS

Mr. President	Michot
Dean	Romero
Total—4	

ABSENT

Bean	Jones, B	Thomas
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Cravins Jones, CD
Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Thomas asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 30. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 60— BY SENATOR LENTINI

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide that no person may enter or remain in or upon the private property of another without authorization, either express, legal or implied; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

Mr. President in the Chair

SENATE BILL NO. 71— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:666(A), relative to the offense of driving while intoxicated; to provide for penalties for such offense in the case of a fatal crash or a crash resulting in serious injury which involves alcohol; to require that such penalties be the same as those imposed for a first offense violation of driving while intoxicated; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 13, following "in" and before "in" change "R.S. 41:964" to "R.S. 40:964"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith

Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Ullo
Dupre	Lentini	
Ellington	Malone	

Total—34

NAYS

Total—0

ABSENT

Bean	Jones, CD	Thomas
Jones, B	Lambert	

Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 72— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 15:307(B), relative to ignition interlock devices; to provide relative to the installation of ignition interlock devices as a requirement of probation for operating a vehicle while intoxicated; to prohibit the mail order purchase of such a device; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Dardenne	Hoyt	Tarver
Dupre	Johnson	Theunissen
Ellington	Lentini	Ullo

Total—30

NAYS

Cravins	Dean	Irons
---------	------	-------

Total—3

ABSENT

Bean	Jones, CD	Schedler
Jones, B	Lambert	Thomas

Total—6

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 98— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:63 and to repeal R.S. 14:63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, and 63.12, relative to criminal trespass; to provide for the crime of unauthorized entry; to provide for penalties; to provide exemptions; to provide for the limitation of liability of owners, lessees, and custodians; to

delete certain specific types of crimes of trespass; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 99—
BY SENATORS CAIN AND FONTENOT
AN ACT

To amend and reenact R.S. 38:3091, 3092, 3093, 3094(B)(1) and (4), 3096(A), (A)(2) and (C), 3098(A), and R.S. 49:968(B)(11), to enact R.S. 38:3097.1 through 3097.7, and to repeal R.S. 36:4(X), R.S. 38:3094(B)(5) and (6) and R.S. 38:3099.1 through 3099.4, relative to ground water wells; to create the Ground Water Conservation Commission and provide for the membership, powers, duties, and functions of the commission; to provide for declarations of critical ground water areas and provide for incentives in such areas; to provide for well applications in critical ground water areas; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Cain and Fontenot to Engrossed Senate Bill No. 99 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." delete the remainder of the line and delete lines 3 through 10 and insert the following:

"36:358(C), R.S. 38:3076(A)(introductory paragraph), and R.S. 49:968(B)(11), to enact R.S. 36:359(K) and 802.18, R.S. 38:3076(A)(24), 3087.136(4), and Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of 3097.1 through 3097.6, and to repeal R.S. 36:4(X) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, relative to ground water resources in the state of Louisiana; to provide for the powers, duties, functions, and responsibilities of the commissioner of conservation relative to ground water management; to create the Ground Water Resources Commission; to provide for the powers, duties, functions, and responsibilities of the commission; to provide for determination of critical ground water areas; to provide for preservation and management of ground water resources in critical ground water areas; to provide for duties of the Sparta Groundwater Conservation District and the Capital Area Groundwater Conservation District; to provide for registration for certain water wells; to provide for the Ground Water Management Task Force; and to provide for"

AMENDMENT NO. 2

On page 1, line 13, after "R.S." delete the remainder of the line and delete lines 14 and 15 and insert "36:358(C) is hereby amended and reenacted and R.S. 36:359(K) and 802.18 are hereby enacted to read as"

AMENDMENT NO. 3

On page 2, delete lines 2 through 26 and delete pages 3 through 18 in their entirety and insert the following:

"§358. Offices; purposes and functions
* * *

C. The office of conservation, in accordance with law, shall exercise the functions of the state with respect to the regulation, conservation, and use of the natural resources of the state which are not specifically within the jurisdiction of other state departments or agencies. Its functions shall include but not be limited to the conservation of the oil and gas resources of the state and matters

pertaining thereto; the promotion and encouragement of exploration, production, and refining efforts for oil, intrastate gas, and other hydrocarbons; the control and allocation of energy supplies and distribution; the lease or construction and operation of intrastate pipeline systems; the implementation and enforcement of any emergency gas shortage allocation plan and the setting of priorities; ~~and~~ regulation of the minimum sale price of intrastate natural gas, and management of ground water resources all in accordance with applicable laws.

* * *

§359. Transfer of agencies and functions to Department of Natural Resources

* * *

R.S. 36:359(K) is all proposed new law.

K. The Ground Water Resources Commission as provided in R.S. 38:3097.1 through 3097.6 shall be placed within the office of conservation, Department of Natural Resources, and shall exercise its powers, duties, functions, and responsibilities as provided in R.S. 36:802.18.

* * *

§802.18. Transfer; Ground Water Resources Commission

R.S. 36:802.18 is all proposed new law.

The Ground Water Resources Commission placed in the office of conservation, Department of Natural Resources, by R.S. 36:359(K) shall exercise and carry out all powers, duties, functions, and responsibilities as provided by R.S. 36:802, except that the commission's powers, duties, functions, and responsibilities are in the nature of policymaking and adjudication. The commission shall continue to exercise all advising powers, duties, functions, and responsibilities provided by law.

Section 2. R.S. 38:3076(A)(introductory paragraph) is hereby amended and reenacted and R.S. 38:3076(A)(24), 3087.136(4), and Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of 3097.1 through 3097.6, are hereby enacted to read as follows:

§3076. Powers of the board

A. The board shall ~~have authority~~ **work with the commissioner of conservation in his responsibilities** to do all things necessary to prevent waste of groundwater resources, and to prevent or alleviate damaging or potentially damaging subsidence of the land surface caused by withdrawal of groundwater within the district. ~~The In conjunction with the commissioner of conservation the~~ board shall have authority to do, as required, the following:

* * *

R.S. 38:3076(A)(24) is all proposed new law.

(24) To advise and consult with the commissioner of conservation and the Ground Water Resources Commission on matters that impact water resources within the board's jurisdiction.

* * *

§3087.136. Powers of the board

The board shall conduct a study and survey of the groundwater resources in the district, including but not limited to consideration of what is necessary or advisable to conserve groundwater resources and where appropriate, prevent or alleviate damaging or potentially damaging drawdowns, land surface subsidence and groundwater quality degradation. For this purpose, the board shall hold hearings and may:

* * *

R.S. 38:3087.136(4) is all proposed new law.

(4) Advise and consult with the commissioner of conservation and the Ground Water Resources Commission on matters that impact water resources within the board's jurisdiction.

* * *

CHAPTER 13-A-1. GROUND WATER RESOURCES
MANAGEMENT

Chapter 13-A-1 is all proposed new law.

§3097.1. Legislative findings; purpose; effect

R.S. 38:3097.1 is all proposed new law.

A. As the effective management and planning in the utilization of the state's water resources is hereby found and declared to be a matter of public interest, the state must have a comprehensive ground

water management program. Said program must take into consideration the requirements, needs, and obligations of all stakeholders of water in the state of Louisiana. The program shall be based on good management practices, sound science, and economics according to generally accepted principles in those disciplines. It must include as a goal the long-term sustainability of the state's ground water aquifers and preservation of the state's ecological welfare, while considering the economic value thereof to the state's role in interstate commerce and the economic welfare of its citizens. Further, it must provide for the efficient administration in the utilization and management of ground water resources, including the gathering of data related to the state's water resources. Thus, the state's water resources must be protected, conserved, managed, and replenished in an effective manner, with due regard for the foregoing considerations and in the best interest of all the citizens of the state.

B. The legislature hereby recognizes the need for uniformity in the establishment of a comprehensive ground water management program. Therefore, the state shall have exclusive jurisdiction over the management of ground water and this Chapter shall supersede and preempt any rule, regulation, code, statute, or ordinance of any political subdivision or other unit of local government. However, nothing contained in this Chapter shall be construed to deny such local government the authority over siting facilities pursuant to any general land use planning or zoning or to deny soil and water conservation districts powers granted pursuant to R.S. 3:1208.

C. In accordance with the legislative intent provided herein, the statewide ground water resource management program and any rule, regulation, or order of the commissioner shall recognize historic use of ground water resources in the state and may incorporate the use of appropriate incentives to encourage conservation of ground water resources and the appropriate utilization of alternate water supplies where appropriate. Consistent with the provisions of this Chapter and in consultation with the commissioner, the incentives and provisions of alternate water resources may be provided by the state, or any local subdivision thereof, by virtue of tax incentives, tax credits, and physical projects transporting or providing alternate water resources to existing ground water users and by any private person with an interest in conserving such ground water resources for public use.

§3097.2. Definitions

R.S. 38:3097.2 is all proposed new law.

Unless the context otherwise requires, the following terms shall have the following meanings for purposes of this Chapter:

(1) "Beneficial use" means the technologically feasible use of ground water for domestic, municipal, industrial, agricultural, recreational, or therapeutic purpose, or any other advantageous purpose.

(2) "Critical ground water area" shall mean an area in which, under current usage and normal environmental conditions, sustainability of an aquifer is not being maintained due to either movement of a salt water front, water level decline, or subsidence, resulting in unacceptable environmental, economic, social, or health impact, or causing serious adverse impact to an aquifer, considering the areal and temporal extent of all such impacts.

(3) "Commission" shall mean the Ground Water Resources Commission, established by R.S. 30:3097.4.

(4) "Commissioner" shall mean the commissioner of conservation.

(5) "Domestic well" shall mean a water well used exclusively to supply the household needs of the owner, lessee, or his family. Uses may include but are not limited to drinking, cooking, washing, sanitary purposes, lawn and garden watering, and caring for pets. Domestic wells shall also include wells used on private farms and ranches for the feeding and caring of pets and watering of lawns, excluding livestock, crops, and ponds.

(6) "Ground water" is water suitable for any beneficial use percolating below the earth's surface which contains fewer than 10,000 mg/l total dissolved solids, including water suitable for domestic use or supply for a domestic water system.

(7) "Ground water emergency" shall mean an unanticipated occurrence as a result of a natural force or a man-made act which causes a ground water source to become immediately unavailable for

beneficial use for the foreseeable future or drought conditions determined by the commissioner to warrant the temporary use of drought relief wells to assure the sustained production of agricultural products in the state.

(8) "Historic ground water production" means the average annual production of a ground water well since the calendar year 1995.

(9) "Large volume well" means a well with an exterior casing size of eight inches or greater in diameter, or as defined by rules and regulations promulgated by the commissioner pursuant to the Administrative Procedure Act.

(10) "Person" shall mean any natural person, corporation, association, partnership, receiver, tutor, curator, executor, administrator, fiduciary, or representative of any kind, or any governmental entity.

(11) "Replacement well" shall mean a well located within one thousand feet of the original well and within the same property boundary as the original well, installed within the same aquifer over an equivalent interval with an equivalent pumping rate, and used for the same purpose as the original well.

(12) "Spacing" means the distance a water well may be located in relation to an existing or proposed water well, regardless of property boundaries.

(13) "Sustainability" means the development and use of ground water in a manner that can be maintained for the present and future time without causing unacceptable environmental, economic, social, or health consequences.

(14) "User" shall mean any person who is making beneficial use of ground water from a well or wells owned or operated by such person.

(15) "Well" or "water well" shall mean any well drilled or constructed for the principal purpose of producing ground water.

§3097.3. Commissioner of conservation; powers and duties

R.S. 38:3097.3 is all proposed new law.

A. The commissioner, through the office of conservation, is empowered and responsible for the administration of all matters related to the management of the state's ground water resources by providing for the most advantageous use of the resource consistent with the protection, conservation, and replenishment thereof. The commissioner shall perform these functions to the extent such functions are not specifically within the jurisdiction of other state departments or agencies. The commissioner shall seek the advice and consultation of local governmental entities on any actions or decisions which may have an impact upon those entities or residents within the entities' respective jurisdictions.

B. The commissioner is authorized to employ, assign, and remove personnel, including a deputy, within the Department of Natural Resources, office of conservation, to provide administrative and technical staff functions the commissioner deems necessary to carry out the powers, functions, and duties under this Chapter. Personnel actions shall be in accordance with applicable civil service laws, rules, and regulations, and with the policies and rules of the department, all subject to budgetary control and applicable laws.

C. The commissioner has authority to make, after notice and public hearings in accordance with the Administrative Procedure Act, any reasonable rules, regulations, and orders that are necessary from time to time in the proper administration and enforcement of this Chapter, including rules, regulations, or orders for the following purposes:

(1) Do all things necessary to prevent waste of water resources.

(2) Prevent or alleviate damaging or potentially damaging salt water movement or water level decline, and loss of sustainability in the state's aquifers in accordance with Paragraph (4) of this Subsection.

(3) Prevent subsidence of the land surface caused by the withdrawal of ground water within the state in accordance with Paragraph (4) of this Subsection.

(4)(a) Require registration of all new wells by the owners. Such registration shall at a minimum require the date drilled or the estimated date to be drilled, the name of the driller, the current ownership, and the projected location of the well in latitude,

longitude, and depth, and casing size together with such other information as the commissioner may reasonably require. The commissioner and the Department of Transportation and Development shall cooperate to insure the efficient and effective collection of well data. Registration shall be in the form of a notice of intent to drill submitted to the commissioner at least sixty days prior to drilling the well, except for the following types of wells which shall be registered no later than sixty days after completing the well:

- (i) Domestic well.
- (ii) Replacement well.
- (iii) Drilling rig supply well, used only for the duration of the oil and gas drilling operation at the drilling location where sited for the immediate needs of rig operations.

(iv) Drought relief wells.

(v) All other wells the commissioner exempts for just cause.

(b) Within thirty days of receiving the well registration, the commissioner shall review the submitted information. During the thirty-day review period, the commissioner may either issue an order to the owner placing restrictions on the well or requesting further reasonable information on the well or may take no action. Prior to any order placing a restriction on a well, the commissioner shall determine, on the basis of good management practices and sound science, that such action is necessary to prevent adverse impacts to the sustainability of the aquifer from which the proposed well is to produce. An order placing restrictions on spacing may also be issued to avoid direct adverse impacts to existing wells. Restrictions and requests for information shall be subject to the following:

(i) For large volume wells or wells within a critical ground water area, the commissioner may issue to the owner of such well an order fixing allowable production, spacing, and metering necessary to properly manage the state's ground water resources consistent with R.S. 38:3097.6(B)(3). Before issuing any order placing restrictions on a well outside a critical ground water area, the commissioner shall consider a well owner's efforts to develop alternate water sources.

(ii) For all other wells located outside a critical ground water area, an order issued by the commissioner may only fix spacing of the well.

(iii) If more information is requested, the commissioner shall have an additional thirty days after receiving the additional information for review. The commissioner's request for further information may be appealed to the commission to determine the reasonableness of the request. Such determination shall be made within forty-five days from the date of the appeal.

(5) Determine critical ground water areas in accordance with R.S. 38:3097.6.

(6) Collect data with respect to water wells and water resources.

(7) Continue development of a statewide ground water resource management program that shall include but not be limited to evaluation of the state's water resources including current and projected demands; development of a water use conservation program; study of alternatives to ground water use, such as surface water to include treatment and transmission system, and reclaimed water; incentives for conservation; use of alternative technologies; and education and conservation programs. The plan should stress conservation as the primary mechanism for the protection of the state's ground water resources.

(8) Develop a contingency plan to respond to a ground water emergency. Such a plan shall provide that ground water needed for human consumption shall have the highest priority. If the commissioner declares a ground water emergency, he shall define the geographical extent of the area included in the emergency by rule or order, may retain personnel or let contracts as necessary with persons who shall operate under his direction to abate the emergency conditions, and may fix the allowable production, spacing, and depth for wells within the area in such a way that the combined production of ground water will not have long-term adverse effects on the aquifer.

(9) Authorize the temporary use of drought relief wells for agricultural use in times of drought upon a determination that sufficient water resources are otherwise not available. The

commissioner shall fix the allowable production, spacing, and depth for such wells in the issuance of an emergency order in such a way that the combined production of ground water from such wells will not have long-term adverse effects on the aquifer.

(10) Enter interagency agreements and interstate compacts in order to manage ground water resources. Such interstate compacts shall only be entered upon approval of the House Committee on the Environment and the Senate Committee on Environmental Quality.

D. Any rule or regulation promulgated or any critical ground water area declared by the Ground Water Management Commission pursuant to authority granted by Act No. 446 of the 2001 Regular Session shall remain in effect until July 1, 2004, or until such time as the commissioner promulgates rules pursuant to this Section or reviews any previously declared critical area.

§3097.4. Ground Water Resources Commission; membership; powers and responsibilities

R.S. 38:3097.4 is all proposed new law.

A. The Ground Water Resources Commission is hereby created and shall be composed of the following members:

- (1) The governor or his designee.
- (2) The commissioner of conservation or his designee.
- (3) The commissioner of agriculture and forestry or his designee.
- (4) The secretary of the Department of Economic Development or his designee.
- (5) The secretary of the Department of Environmental Quality or his designee.
- (6) The secretary of the Department of Health and Hospitals or his designee.
- (7) The secretary of the Department of Wildlife and Fisheries or his designee.
- (8) The secretary of the Department of Transportation and Development or his designee.
- (9) The director of the Governor's Office of Coastal Activities or his designee.
- (10) One member appointed by the governor, who is a geologist or an engineer with expertise in ground water resource management.
- (11) One member appointed by the governor from a list of four nominations submitted jointly by the Louisiana Chemical Association, the Louisiana Mid-Continent Oil & Gas Association, the Louisiana Association of Business and Industry, and the Louisiana Pulp & Paper Association.
- (12) One member appointed by the governor from a list of three names nominated by the Louisiana Farm Bureau.
- (13) One member appointed by the governor from a list of three nominations submitted by the Police Jury Association of Louisiana.
- (14) One member appointed by the governor from a list of three nominations submitted by the Louisiana Municipal Association.
- (15) One member appointed by the governor from a list of three nominations submitted by the Sparta Groundwater Conservation District Board of Commissioners.
- (16) One member appointed by the governor from a list of three nominations submitted by the board of commissioners of the Capital Area Groundwater Conservation District.
- (17) One member appointed by the governor who resides or works in the geographical area of the state underlain by the Chicot aquifer.

(18) One member appointed by the governor from a list of three nominations submitted by the Louisiana Landowners Association.

(19) One member appointed by the governor from a list of three names submitted by the Louisiana Wildlife Federation, Coalition to Restore Coastal Louisiana, and the League of Women Voters.

B. The appointed members of the commission shall serve four-year terms except for the initial term, in which the governor shall designate the terms of office so that three members shall serve a one-year term, three members shall serve a two-year term, and four members shall serve a three-year term. No appointed member shall serve more than two consecutive terms. In case of a vacancy, the governor shall appoint a replacement to fill the unexpired term. Appointed members shall not be compensated for their services, except the commissioner may promulgate rules and regulations to

provide for travel expenses. Appointed members shall be considered as such, and not elected, for the purposes of R.S. 42:1102 et seq.

C. The governor or his designee shall serve as chairman of the commission. The commission shall meet at least once per quarter, but may meet more often as necessary.

D. The commission shall have the authority to do the following:

(1) Review and approve or reject any orders of the commissioner placing restrictions on wells upon petition by the owner of the affected well or proposed well or any owner of a well in the same aquifer which may be adversely impacted by the well in question. In reviewing such decisions the commissioner shall not serve as a voting member of the commission. The order of the commissioner shall only be rejected if the commission concludes, after a review of the record, that a reasonable factual basis does not exist for the commissioner's decision. Rejected orders shall be returned to the commissioner for reconsideration. An order that has been returned to the commissioner twice shall be considered a final decision and eligible for judicial review pursuant to R.S. 38:3097.5.

(2) Review rules and regulations proposed by the commissioner pursuant to the proper administration and enforcement of this Chapter.

(3) Continue the development, in cooperation with the commissioner, of a statewide ground water resource management program that shall include but not be limited to evaluation of the state's ground water resources including current and projected demands; development of a water use conservation program; study of alternatives to ground water use, such as surface water to include treatment and transmission system, and reclaimed water; incentives for conservation; use of alternative technologies; and education and conservation programs. The plan should stress conservation as the primary mechanism for the protection of the state's ground water resources. The commission shall also hold public hearings and consult with local governmental entities in the development of this program.

(4) Review the contingency plan developed by the commissioner to respond to a ground water emergency.

(5) The commission may direct the commissioner to promulgate rules and regulations for the appointment or designation of up to five regional bodies based on the general location of major aquifer systems and water sources of the state and composed of local stakeholders who are representative of current users. Such bodies may gather data and provide local input to the commission and the commissioner.

(6) At their discretion, attend all public meetings called by the commissioner pursuant to his power and duties in this Chapter.

§3097.5. Judicial review

R.S. 38:3097.5 is all proposed new law.

A. The owner of the affected well or proposed well or any owner of a well in the same aquifer which may be significantly and adversely impacted by the well at issue may appeal devolutively a final determination by the commissioner only to the Nineteenth Judicial District Court. A petition for review must be filed in the district court within thirty days after notice of the final decision being appealed has been given. Copies of the petition shall be served upon the commissioner. The district court shall grant the petition for review. The commissioner shall not be required to file an answer to the petition for review.

B. The provisions of R.S. 49:964(C), (D), (F), and (G), including the standard of review, shall apply to petitions for judicial review provided in this Section.

C. Judicial review regarding well restriction orders shall be decided by the court summarily and by preference. In no case shall the date for a final decision on the merits of such review or appeals extend beyond the ninetieth day after receipt by the court of the record for adjudication. The court in its discretion may issue further orders consistent with the Louisiana Code of Civil Procedure to carry out the summary mandate of such reviews or appeals.

§3097.6. Determination of critical ground water area

R.S. 38:3097.6 is all proposed new law.

A. Any owner of a well that is significantly and adversely affected as a result of the movement of a salt water front, water level

decline, or subsidence in or from the aquifer drawn on by such well shall have the right to file an application to request the commissioner to declare that an area underlain by such aquifer is a critical ground water area. Such application shall contain a statement of facts and supporting evidence substantiating the area may be a critical ground water area as defined in R.S. 30:3097.2(2). On the basis of the application, good management practices and sound science, the commissioner shall either deny the request, in writing, or issue a draft order which describes the proposed boundaries of the critical ground water area. If the commissioner issues a draft order describing the proposed boundaries of the critical ground water area, the commissioner shall hold at least one public hearing in the locality of the proposed boundaries.

B. After holding hearings, the commissioner shall issue a written decision based on good management practices and scientifically sound data gathered from the application, the participants in the public hearing, and any other relevant information. If the commissioner has determined that a critical ground water area exists, his decision shall be in the form of an order that shall describe the boundaries of the area which is determined to be a critical ground water area. The order shall also contain a plan to preserve and manage the ground water resources in that area which may include but is not limited to the following:

(1) Educational and conservation programs.

(2) Incentives to reduce ground water use.

(3) Restrictions on the amount of withdrawals by any or all users in the area. If restrictions on withdrawals are imposed, the commissioner shall consider the following:

(a) Ground water needed for human consumption and public health and safety shall have the highest priority.

(b) Uses other than human consumption and public health and safety shall have equal priority.

(c) Historical use.

(d) Ability, including economic ability, of a particular user to relocate to an alternative source of water.

(e) User's conservation efforts and actual reductions in water usage, taking into account historic ground water production.

Section 3. R.S. 49:968(B)(11) is hereby amended and reenacted to read as follows:

§968. Review of agency rules; fees

* * *

B.

* * *

(11) The Department of Natural Resources and all of the agencies made a part of it shall submit the report to the House Committee on Natural Resources and the Senate Committee on Natural Resources. **However, for exercises of the commissioner of conservation's rule making authority pursuant to Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, the department shall submit the report to the House Committee on the Environment and the Senate Committee on Environmental Quality.**

* * *

Section 4. R.S. 36:4(X) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, are hereby repealed in their entirety.

Section 5.(A) A comprehensive ground water management program must continue to be developed and implemented. To that end, there is hereby created a Ground Water Management Advisory Task Force with membership as follows:

(1) A person representing the office of the governor appointed by the governor.

(2) The president of the Louisiana Senate or his designee.

(3) The speaker of the Louisiana House of Representatives or his designee.

(4) The chair of the Senate Committee on Natural Resources or his designee.

(5) The chair of the House Committee on Natural Resources or his designee.

(6) The chair of the Senate Committee on Environmental Quality or his designee.

(7) The chair of the House Committee on Environment or his designee.

(8) The Louisiana State Conservationist, USDA Natural Resources Conservation Service or his designee.

(9) The chancellor of the Louisiana State University Agricultural Center or his designee.

(10) The executive director of the state soil and water conservation committee.

(11) The Louisiana district chief, United States Geological Survey, Water Resources Division, or his designee.

(12) The district engineer of the United States Army Corps of Engineers, New Orleans District, or his designee.

(13) The director of the Louisiana Geological Survey or his designee.

(14) The executive director of the Louisiana Wildlife Federation or his designee.

(15) The president of the Louisiana Farm Bureau or his designee.

(16) The president of the Louisiana Chemical Association or his designee.

(17) The executive director of the Coalition to Restore Coastal Louisiana or his designee.

(18) The president of the Louisiana Rice Growers Association or his designee.

(19) The executive director of Louisiana Mid-Continent Oil and Gas Association or his designee.

(20) The president of the Louisiana Catfish Farmers Association or his designee.

(21) One representative of the Louisiana Rural Water Association.

(22) The president of the Cotton Producers Association or his designee.

(23) One representative of the Capital Area Groundwater Conservation District.

(24) One representative of the Sparta Groundwater Conservation District.

(25) The executive director of the Louisiana Forestry Association or his designee.

(26) One representative of the Sabine River Authority.

(27) The president of the American Sugar Cane League or his designee.

(28) One representative of the Red River Compact Commission.

(29) The executive director of the Lake Pontchartrain Foundation or his designee.

(30) The president of the Louisiana Soybean Association or his designee.

(31) The president of the Louisiana Cattlemen Association or his designee.

(32) The executive director of the Barataria-Terrebonne National Estuary Program or his designee.

(33) The president of the Louisiana Crawfish Farmers Association or his designee.

(34) The chairman of the Louisiana Pulp and Paper Association or his designee.

(35) A representative of the Louisiana Ground Water Association.

(36) A representative of the Louisiana Engineering Society who is a registered engineer with reservoir experience.

(37) The dean of the Southern University College of Agriculture, Family, and Consumer Science or his designee.

(38) A representative from Louisiana State University, Department of Geology.

(39) A representative from Louisiana Tech University, Department of Geology.

(40) A representative from University of Louisiana at Monroe, Department of Geology.

(41) A representative from University of Louisiana at Lafayette, Department of Geology.

(42) A representative of the Association of Public Utilities.

(43) A representative of the Irrigation Association.

(44) A representative of the League of Women Voters.

(45) A representative of the Citizens for a Clean Environment.

(46) A representative of Louisiana Independent Oil and Gas Association.

(47) A representative from the Louisiana State University at Shreveport Watershed Management Initiative.

(48) A representative of the Municipal Water Association.

(49) A representative of the New Orleans Sewerage and Water Board.

(B) The Ground Water Management Advisory Task Force shall assist the commissioner of conservation and the Ground Water Resource Commission in continuing to develop a statewide ground water resource management program. Such ground water management program shall include but not be limited to evaluation of the state's ground water resources including current and projected demands on the aquifers of the state; development of a water use conservation program; study of alternatives to ground water use, such as surface water to include treatment and transmission system, and reclaimed water; incentives for conservation; use of alternative technologies; and education and conservation programs. The plan should stress conservation as the primary mechanism for the protection of the state's ground water resources.

(C) The task force shall meet at least once per quarter, or more frequently as necessary. The task force shall report to the commissioner and the commission periodically on the activities and progress of the task force on continuing to develop the comprehensive ground water management program."

AMENDMENT NO. 4

On page 19, delete lines 1 through 7 and on line 8, change "Section 4." to "Section 6."

On motion of Senator Cain, the amendments were adopted.

The bill was read by title. Senator Cain moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Lentini	Ullo
Total—33		

NAYS

Adley	Malone
Total—2	
	ABSENT
Bean	Jones, CD
Holden	Lambert
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 108— BY SENATOR HOYT

AN ACT

To enact Part VIII of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.50 through 571.52, relative to district courts; to authorize each judicial district to establish job intervention programs for first-time offenders convicted of certain offenses; to provide for program administration; to provide for eligibility; to specify conditions of participation; to require each participant to enter into a probation agreement; to provide for the terms of such an agreement; to provide for the responsibilities of any participating employer; to provide for program evaluation; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 108 by Senator Hoyt

AMENDMENT NO. 1

On page 7, line 11, following "Has" and before "guilty" change "plead" to "pled"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Hoyt moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Bean	Holden	Lambert
Cravins	Jones, CD	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 143— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 14:98(B)(2), (C)(2) and (K), R.S. 15:306(A) and R.S. 32:667(B)(1) and (3) and to enact R.S. 32:414(A)(1)(c), relative to driving while intoxicated; to provide

relative to penalties for first or second offense driving while intoxicated under certain circumstances; to increase the time for suspension of driver's licenses for such offenses; to authorize a restricted license under certain conditions; to prohibit a restricted license under certain circumstances; to require the installation of an ignition interlock device for such authorization; to require installation of an ignition interlock device during certain periods of suspension; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 143 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 25, following "this" and before "shall" change "Section" to "Subsection"

AMENDMENT NO. 2

On page 3, lines 3 and 12, following "this" and before the period "." change "Section" to "Subsection"

AMENDMENT NO. 3

On page 3, line 9, following "this" and before "shall" change "Section" to "Subsection"

AMENDMENT NO. 4

On page 3, line 14, following "(1)" and before "In" delete "(a)"

AMENDMENT NO. 5

On page 7, lines 1 and 9, following "0.20" and before "or" insert "percent"

AMENDMENT NO. 6

On page 8, line 24, following "0.20" and before "or" insert "percent"

AMENDMENT NO. 7

On page 9, line 18, following "0.20" and before "or" insert "percent"

AMENDMENT NO. 8

On page 10, line 1, following "0.20" and before "or" insert "percent"

On motion of Senator Lambert, the amendments were adopted.

Senator Ellington in the Chair

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 143 by Senator Dupre

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "R.S. 32:667(B)(1) and (3)" to "R.S. 32:378.2(A)(2)(a)(i) and 667(B)(1) and (3)"

AMENDMENT NO. 2

On page 6, line 12, after "Section 3." change "R.S. 32:667(B)(1) and (3)" to "R.S. 32:378.2(A)(2)(a)(i) and 667(B)(1) and (3)"

AMENDMENT NO. 3

On page 6, between lines 13 and 14, add the following

"§378.2. Ignition interlock devices; condition of probation for certain DWI offenders; restricted license

A. * * *

(2)(a) Any person who has had his driver's license suspended, revoked, or canceled under any of the following conditions shall, upon proof to the Department of Public Safety and Corrections that his motor vehicle has been equipped with a functioning ignition interlock device as provided in this Section, be issued a restricted driver's license:

(i)(aa) Upon first or second conviction, or entry of a plea of guilty or nolo contendere and sentence thereupon or the forfeiture of bail, for the offense of operating a motor vehicle while under the influence of alcoholic beverages.

(bb) However, if the offender had a blood alcohol concentration of less than 0.20 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood the following restrictions shall apply:

R.S. 32:378.2(A)(2)(i)(bb)(aaa) is all proposed new law.

(aaa) Upon first offense, if the offender had a blood alcohol concentration of 0.20 or greater, he shall be issued a restricted driver's license during the entire period of the two-year driver's license suspension imposed under the provisions of R.S. 14:98(K)(1)(a) and shall be required to have a functioning ignition interlock device installed on his vehicle during the first twelve-month period of the suspension.

R.S. 32:378.2(A)(2)(i)(bb)(bbb) is all proposed new law.

(bbb) Upon second offense, if the offender has a blood alcohol concentration of 0.20 or greater, he shall not be issued a restricted driver's license for the first year of the four-year driver's license suspension as imposed under the provisions of R.S. 14:98(K)(2)(b). After the completion of the one-year period, the offender shall be issued a restricted license during the entire three years remaining on his suspension and shall be required to have a functioning ignition interlock device installed on his vehicle during the first two-year period of the remaining three years of the suspension.

* * *

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Lentini	Thomas
Fields	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Bean	Jones, CD
Bajoie	Holden	Lambert
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 179—

BY SENATOR DUPRE

AN ACT

To enact R.S. 32:59 and Code of Criminal Procedure Art. 814(A)(60), relative to motor vehicles and criminal procedure; to provide relative to the Highway Regulatory Act; to create the offense of aggressive driving; to provide penalties; to provide for a responsive verdict to reckless operation of a vehicle; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Lentini	Ullo
Dupre	Malone	
Ellington	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Bean	Holden	Lambert
Hines	Jones, CD	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 245—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:636.2(A)(3), 636.4(E)(2)(a), 1382(A)(3)(a)(iv), 1401, 1402, 1403(D), 1404, 1404.1, 1404.2, 1404.3, 1405(A), (C), (D)(2) and (5), (G), and (I)(1)(a) and (2), 1406(A), (B), (C), (D)(7), and (E), 1406.1, 1406.2(1), the introductory paragraph of R.S. 22:1406.2(2), R.S. 22:1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1408(A) and (C), 1409(A), (B), (D), (E), and (G), the introductory paragraph of R.S. 22:1410(A), R.S. 22:1410(A)(1), (B) and (C), 1411, 1412(B), 1413(B), 1414(B), 1415, 1417(A) and (B), 1417.1, 1418, 1419(B), 1420, 1422, 1422.1, 1423(A), (B), and (E), 1424, 1431, 1432(1), the introductory paragraph of R.S. 22:1432(2), R.S. 22:1432(6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1459(A), and 2092.5(C)(2), R.S. 23:1392(1) and (8)(a) and 1395(A), R.S. 32:430(M) and 1043(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1402.1, 1402.2, and 1402.3, and to repeal R.S. 22:15(B)(1)(h), 1406(F), 1450.4, and 1450.5, relative to insurance rate regulation; to limit

the authority of the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to eliminate the rate making requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; to provide for appeals to the Louisiana Insurance Rating Commission; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 245 by Senator Hainkel

AMENDMENT NO. 1

On page 12, line 23, following "insurance" and before "buying" insert a hyphen "-"

AMENDMENT NO. 2

On page 22, line 5, following "the" insert "department"

AMENDMENT NO. 3

On page 26, line 10, delete the asterisks " * * * "

AMENDMENT NO. 4

On page 30, line 10, following "the" change "Property and Casualty Division" to "property and casualty division"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Hainkel moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux	Romero
Barham	Hines	Schedler
Boissiere	Hollis	Smith
Cain	Hoyt	Tarver
Chaisson	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones, B	Ullo
Dean	Lentini	
Dupre	Malone	
Total—31		

NAYS

Fields	Marionneau
Heitmeier	McPherson
Total—4	

ABSENT

Bean	Jones, CD
Holden	Lambert
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 296—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:786(A) through (E) and to enact R.S. 37:786(F) through (I), relative to the practice of dentistry; to provide for judicial review of decisions made by the board of dentistry; to provide for procedures; to provide for the furnishing of security; to provide for the filing of additional evidence; to provide for reversal or modification of board decisions under certain specified circumstances; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 296 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, following "reenact R.S. 37:786" delete the remainder of the line, and on line 3 delete "through (I)"

AMENDMENT NO. 2

On page 3, line 3, following "party" and before "seeking" delete "complaining"

AMENDMENT NO. 3

On page 5, line 14, following "conclusions" and before "or" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Fields	Marionneau	
Total—34		

NAYS

Dupre
Total—1

ABSENT

Bean	Jones, CD
Holden	Lambert

Total—4

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 343—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 29:281, relative to veterans' affairs; to establish the military honors funerals for veterans; to provide relative to the duties of the adjutant general with regard to the program; to provide for eligibility; to provide for compensation for members of the Louisiana Guard with respect to the program; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—32		

NAYS

Dean
Total—1

ABSENT

Bean	Jones, B	Lambert
Holden	Jones, CD	Theunissen
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 381—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(23), 2074(A)(4) and (B)(8), 2080, 2081, 2083, and R.S. 40:2821(B)(4) and (5), 2822(1), 2824, 2825(A)(2)(c) and (f), 2826(A), (B), (D), (E), and (F), and to enact R.S. 36:254.1, relative to public health and safety; to provide for the transfer of authority from the Department of Environmental Quality to the Department of Health and Hospitals relative to the administering of the fund; to authorize the Department of Health and Hospitals to issue tax-exempt debt relative to the fund; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 381 by Senator Schedler

AMENDMENT NO. 1

On page 4, at the beginning of line 9, insert "A."

AMENDMENT NO. 2

On page 4, line 16, before "The" begin a new paragraph and insert "B."

AMENDMENT NO. 3

On page 5, line 9, before "Withdrawals" begin a new paragraph and insert "C."

AMENDMENT NO. 4

On page 6, at the beginning of line 14, insert "A."

AMENDMENT NO. 5

On page 6, at the beginning of line 17, insert "B."

AMENDMENT NO. 6

On page 7, at the beginning of line 4, insert "C."

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 381 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 9, after "tax-exempt" insert "and/or taxable"

AMENDMENT NO. 2

On page 6, line 12 delete "tax exempt" and insert "tax-exempt and/or taxable"

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Lentini	Thomas
Fields	Malone	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

Mr. President Holden Lambert
Bean Jones, CD
Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 421—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Lentini	Thomas
Total—33		

NAYS

Ullo
Total—1

ABSENT

Mr. President Holden Lambert
Bean Jones, CD
Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 479—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:300(A) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 479 by Senator Chaisson

AMENDMENT NO. 1

On page 2, between lines 13 and 14, insert the following:

"(4) Passengers in a courtesy vehicle which is operated as a courtesy vehicle for a hotel or motel."

AMENDMENT NO. 2

On page 2, line 14, change "(4)" to "(5)".

AMENDMENT NO. 3

On page 2, line 16, change "(5)" to "(6)".

AMENDMENT NO. 4

On page 2, line 18, change "(6)" to "(7)".

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Mr. President Holden Lambert
Bean Jones, CD
Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Hoyt asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 479. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 482—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(j), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specification of devices; to provide for use of thermal printers in video gaming devices and other alternate means of capturing duplicate information of a ticket voucher; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 482 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 5, delete "eleven days" and insert in lieu thereof "two years"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Holden	Lambert
Bean	Jones, CD	Lentini
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 554—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 14:98(K)(1) and (K)(2)(a) and the introductory paragraph of 334(A), R.S. 32:378.2(A)(1) and (2)(a), 414(A)(1)(b) and (3)(c) and (B)(2)(b), 415.1(A)(1)(introductory paragraph), 430(E) and (F)(1), 667(B)(3), and 668(B)(1)(c), to enact R.S. 14:98(C)(4) and (K)(4) and to repeal R.S. 15:306, relative to driver's licenses; to prohibit any person placed on probation or had his license suspended for a second or subsequent conviction of driving while intoxicated from obtaining a restricted driver's license; to remove the exception allowing such person to obtain a restricted license if an ignition interlock device is installed on his motor vehicle; to authorize a license at the conclusion of such license suspension with the installation of an ignition interlock device; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 554 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 4, following "(B)(2)(b)," and before ", 430(E)" change "415.1(A)(1)(introductory paragraph)" to "the introductory paragraph of 415.1(A)(1)"

AMENDMENT NO. 2

On page 2, between lines 3 and 4, insert asterisks " * * * "

AMENDMENT NO. 3

On page 3, line 25, following "(B)(2)(b)," and before ", 430(E)" change "415.1(A)(1)(introductory paragraph)" to "the introductory paragraph of 415.1(A)(1)"

AMENDMENT NO. 4

On page 7, line 12, following "(b)" and before "Following" insert "(i)"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 554 by Senator Dupre

AMENDMENT NO. 1

On page 3, line 10, after "the" delete "division of administrative law within the" and add "offender may make a written request to the Department of Public Safety and Corrections for an administrative hearing to determine"

AMENDMENT NO. 2

On page 3, delete line 11 and at the beginning of line 12, delete "regulation for a method of determining"

AMENDMENT NO. 3

On page 3, at the end of line 15, delete "However, the regulation shall" and add "The Department of Public Safety and Corrections shall forward the hearing request to the Division of Administrative Law to conduct such hearings. Undue financial hardship exists if the offender or his family will be deprived of the necessities of life. However, the offender shall not be authorized to operate a motor vehicle without an"

AMENDMENT NO. 4

On page 3, delete line 16

AMENDMENT NO. 5

On page 6, delete lines 11 and 12 and add "offender may make a written request to the department of Public Safety and Corrections for an administrative hearing to determine whether undue financial"

AMENDMENT NO. 6

On page 6, at the end of line 15, delete "However, the regulation shall" and add "The Department of Public Safety and Corrections shall forward the hearing request to the Division of Administrative Law to conduct such hearings. Undue financial hardship exists if the offender or his family will be deprived of the necessities of life. However, the offender shall not be authorized to operate a motor vehicle without an"

AMENDMENT NO. 7

On page 6, delete line 16

AMENDMENT NO. 8

On page 8, delete lines 2 and 3, and add "offender may make a written request to the Department of Public Safety and Corrections for an administrative hearing to determine whether undue financial"

AMENDMENT NO. 9

On page 8, at the end of line 6, delete "However, the regulation shall" and add "The Department of Public Safety and Corrections shall forward the hearing request to the Division of Administrative Law to conduct such hearing. Undue financial hardship exists if the offender or his family will be deprived of the necessities of life. However, the offender shall not be authorized to operate a motor vehicle without an"

AMENDMENT NO. 10

On page 8, delete line 7

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Lentini	Thomas
Ellington	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Holden	Jones, CD
Bean	Jones, B	Lambert
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 567—

BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1514.3, relative to insurance policies; to provide for the surrender of a defendant for non-payment of premium; to provide for certain notification requirements upon surrender; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 590—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:793(A)(1) and (2), (B)(1), (2), and (3), (D)(1) and (F), and to enact R.S. 37:795(B)(2)(q) and (r), relative to dentistry; to provide with respect to the administration of certain types of anesthesia; to provide for new fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 590 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 12, following "dose" and before "minor" insert "of"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Lentini	Ullo
Dupre	Malone	
Ellington	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Bean	Jones, B	Lambert
Holden	Jones, CD	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 596—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), relative to court of appeal clerks; to provide for reimbursement to judges of the courts of appeal for expenses incurred while on official duty; to provide that such reimbursement be payable out of self-generated funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 596 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 8, following "for" and before "this" insert "in"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Lentini	Thomas
Ellington	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Holden	Jones, CD
Bean	Jones, B	Lambert
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 601—

BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1142.1, relative to insurers; to provide for certain licensing requirements for the solicitation of bail; to provide for certain prohibited activities; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 663—

BY SENATOR HEITMEIER AND REPRESENTATIVES MONTGOMERY AND SCALISE

AN ACT

To enact R.S. 27:3(24), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana company", or "Louisiana corporation"; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Heitmeier	Michot
Barham	Hollis	Mount
Chaisson	Hoyt	Smith
Dardenne	Johnson	Thomas
Dupre	Jones, B	
Ellington	Lentini	
Total—19		

NAYS

Boissiere	Irons	Tarver
Cain	Marionneaux	Theunissen
Cravins	McPherson	Ullo
Dean	Romero	
Hines	Schedler	
Total—13		

ABSENT

Mr. President	Gautreaux	Lambert
Bean	Holden	
Fields	Jones, CD	
Total—7		

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Heitmeier, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**NOTICE OF ELECTION OF NOMINEE**

April 29, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has voted to elect Mr. Michael Inzina as Louisiana's Legislative Auditor.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Motion

Senator Hainkel moved the Senate proceed to Executive Business for the purpose of electing Louisiana's Legislative Auditor.

Without objection, so ordered.

Senator Hainkel nominated Mr. Alan Brown.

Senator Chaisson nominated Mr. Michael Inzina.

Senator Chaisson moved to make the election Special Order No. 1 on Thursday, May 1, 2003.

Without objection, so ordered.

Point of Personal Privilege

Senator Hainkel announced that both nominees would be invited to address the Senate in the briefing room on Wednesday, April 30, 2003.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

April 29, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 14—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 56:302.9(A)(1), relative to charter boat fishing guide licenses; to provide requirements for issuance of saltwater charter boat guide licenses; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 20—
BY SENATOR SMITH

AN ACT

To amend and reenact Part III of Chapter 18 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2650 through 2653 and R.S. 3:2691, relative to livestock; to provide for the liability and prosecution of owners of dogs that kill, harass, or wound livestock; to authorize any person finding any dog not on the premises of its owner, harbinger, or possessor to kill any dog harassing, wounding, or killing livestock; to authorize police juries to enact ordinances for the protection of livestock; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 40—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:1844(W)(1) and to enact the Children's Code Art. 811.1(G)(3), relative to rights of certain crime victims; to provide for the rescission of certain confidentiality requirements with respect to information for the AMBER Alert network; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 285—

BY SENATORS LENTINI, HEITMEIER, SCHEDLER AND HOLDEN
AN ACT

To amend and reenact R.S. 26:2(8) and 74(A), 271(A)(3), and 274(A), relative to alcoholic beverages; to provide relative to alcoholic beverage permits; to authorize permitting of commercial airlines as liquor retail distribution centers for such beverages; to provide relative to permits for dealers in beverages of low alcoholic content; to provide for permitting of a commercial airline as a retailer for such beverages; to prohibit the requirement of local permits or fees for commercial airlines; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 225—

BY SENATORS THEUNISSEN, BOISSIERE, CRAVINS, DARDENNE, DUPRE, FONTENOT, HAINKEL, IRONS, B. JONES, LAMBERT, LENTINI AND TARVER AND REPRESENTATIVES CRANE, K. CARTER, ALARIO, ALEXANDER, BRUNEAU, CROWE, DAMICO, DARTEZ, DEWITT, DIEZ, DOWNER, DOWNS, ERDEY, FLAVIN, FRUGE, HAMMETT, JOHNS, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, MCVEA, MONTGOMERY, MORRISH, NEVERS, PINAC, PITRE, SALTER, SCALISE, STELLY, STRAIN, TOWNSEND, WALKER, WALSWORTH AND WINSTON
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 3(A), relative to the State Board of Elementary and Secondary Education; to empower the state board to supervise, manage, and operate or provide for the supervision, management, and operation of a public elementary or secondary school which has been determined to be failing; to empower the state board to receive, control, and expend certain funds; to provide that these authorities shall be in the manner provided by and accordance with law; to revise a reference to school boards that implies incorrect jurisdictional boundary limitations; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 710—

BY SENATORS THEUNISSEN, BOISSIERE, CRAVINS, DARDENNE, DUPRE, FONTENOT, HAINKEL, IRONS, B. JONES, LAMBERT, LENTINI, TARVER AND HOLLIS AND REPRESENTATIVES CRANE, K. CARTER, ALARIO, ALEXANDER, BRUNEAU, CROWE, DAMICO, DARTEZ, DEWITT, DIEZ, DOWNER, DOWNS, ERDEY, FLAVIN, FRUGE, HAMMETT, JOHNS, LAFLEUR, LANCASTER, LEBLANC, MCVEA, MONTGOMERY, MORRISH, NEVERS, PINAC, PITRE, SALTER, SCALISE, STELLY, STRAIN, TOWNSEND, WALKER, WALSWORTH AND WINSTON
AN ACT

To amend and reenact R.S. 17:3983(A)(4)(a), 3991(C)(6) and (H), and 3996(C), (G), and (H), to enact R.S. 17:10.5, Part VII of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1990, R.S. 17:3973(2)(b)(v), 3983(A)(2)(c) and (F), and 3991(B)(1)(d), and R.S. 36:651(F), and to repeal R.S. 17:3983(A)(5), relative to defining and providing for the management, supervision, and operation of failed public schools; to provide for a definition of a failed school; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education; to provide for the effect of a school being identified as a failed school; to establish and provide for governance and operation of the Recovery School District; to provide for the jurisdiction of the district; to provide for the authority of the school district; to provide with regard to the funding for the operation of schools by the district; to provide with regard to the persons employed by certain school systems and by the district; to provide with regard to facilities; to establish and provide for a Type 5 charter school; to eliminate the termination of the authority for certain chartering authorities to enter into certain types of charters; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 1085— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:1306(C)(3)(b), relative to fees to inspect motor vehicles in the ozone non-attainment zone; to provide for disbursement of fees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1086— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 32:772(F)(9), relative to used motor vehicle dealers; to provide for the licensure of out-of-state recreational vehicle dealers; to require that out-of-state recreational vehicle dealers be licensed by the state in order to participate in trade shows; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1087— BY SENATOR CRAVINS

AN ACT

To enact R.S. 13:2080.1(C), relative to city courts; to provide with respect to the operating expenses of certain marshals; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

SENATE BILL NO. 1088— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 28:826(H), relative to the disability services planning group; to provide with respect to the expiration date for the planning group; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1089—

BY SENATORS MARIONNEAUX, FONTENOT AND CAIN
AN ACT

To amend and reenact R.S. 30:2418(I) and enact R.S. 30:2418 (M)(3) and (4) and (N), relative to the disposal of waste tires; to provide relative to fees collected on new tires; to provide relative to documentation verifying the tires are generated in Louisiana; to

provide for the limitation of tire processor's licenses; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

SENATE BILL NO. 1090— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact R.S. 28:771(E), Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to create a human services authority in parishes with a population in excess of four hundred seventy-five thousand persons as of the most recent decennial census; to provide for powers, duties, and functions of the authority; to create a governing board and provide for its membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for the transfer of employees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1091— BY SENATOR BAJOE

AN ACT

To enact R.S. 22:215.24, relative to health insurance; to require that optional coverage of treatment for morbid obesity by certain health insurance policies, contracts, and plans be offered; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

SENATE BILL NO. 1092— BY SENATOR FIELDS

AN ACT

To enact Part XX of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.11 through 3577.22; to provide for the Louisiana Pay Day Loan Act in order to provide for comprehensive regulation of the deferred deposit loan or "pay day loan" business; to provide for civil and criminal penalties; to provide for civil remedies; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

SENATE BILL NO. 1093— BY SENATOR FIELDS

AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for the Louisiana Leadership Institute; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1094— BY SENATOR THOMAS

AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to ethics; to permit an electrician who is the immediate family member of a school board member to be employed in the parish of that member; to provide that the exception shall only apply in parishes with a

certain student enrollment population; to provide that the immediate family member of the school board member shall be an experienced electrician; to provide that a school board member shall recuse himself from voting on matters which involve promotion or assignments of such immediate family member; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 1095—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 36:508.2(A) and to enact Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:109.1 through 109.3, relative to roads and highways; to provide for creation of the Eastern New Orleans Interstate Commission within the Department of Transportation and Development; to authorize appointment of certain police officers; to provide for the powers and duties of such officers; to create the Eastern New Orleans Interstate Oversight Commission; to provide for appointment of members, terms, and duties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1096—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the distribution of certain state funds; to redistribute the avails of certain state sales taxes in Orleans Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 1097—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:721.1(B) and to enact R.S. 11:701(33)(a)(xi), relative to the Teachers' Retirement System of Louisiana; to provide with respect to option to participate in the system; to provide with respect to the definition of "Teacher"; to include the director and staff of the Louisiana Resource Center for Educators within the definition of teacher; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

SENATE BILL NO. 1098—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 13:587.3, relative to the Nineteenth Judicial District Court; to authorize the judges by court rule to assign matters to be heard by specified divisions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

SENATE BILL NO. 1099—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 49:321.1, relative to state funds; to provide with respect to the authority of the treasurer to manage state funds; to authorize the reinvestment of cash collateral; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

SENATE BILL NO. 1100—
BY SENATOR BARHAM

AN ACT

To authorize and empower the adjutant general of the Louisiana Army National Guard, to donate or otherwise transfer title to certain land to the Union Parish Detention Center; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

SENATE BILL NO. 1101—
BY SENATOR HOLDEN AND REPRESENTATIVE WESTON-BROOME

AN ACT

To enact Part IV of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1091 through 1093, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for membership of the board; to authorize the issuance of bonds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1102—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 56:1855(K), relative to the Louisiana Scenic Rivers Act; to remove certain exemptions applicable to a portion of the Tchefuncte River in St. Tammany Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

SENATE BILL NO. 1103—
BY SENATORS SCHEDLER AND HAINKEL

AN ACT

To amend and reenact R.S. 48:233, relative to roads and highways; to provide for projects in the highway priority program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1104—
BY SENATOR HOLLIS

AN ACT

To enact Chapter 16 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:851 through 857, relative to legislative committees; to create and provide for the Joint Legislative Committee on Science and Technology; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 1105—
BY SENATOR THOMAS

AN ACT

To enact R.S. 13:2619, relative to justice of the peace courts; to provide for the territorial jurisdiction of the justice of the peace courts in Tangipahoa Parish; to provide for continued effectiveness of existing districts; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

SENATE BILL NO. 1106—

BY SENATOR THOMAS

AN ACT

To designate a portion of Louisiana Highway 424 in Washington Parish as the "Simon S. Thomas Memorial Highway".

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1107—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 46:236.1(G), relative to family and child support programs; to prohibit the collection of a fee for court costs being deducted from payments collected by the Department of Social Services; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1108—

BY SENATOR HINES

AN ACT

To enact R.S. 46:2626, relative to the imposition of fees for health care services; to provide for a hospital bed fee; to provide for the collection of such fees; to provide for the disposition of fees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1109—

BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:3843, relative to the New Orleans Employees' Retirement System; to repeal the provision which excludes simultaneous membership in more than one public retirement system; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

SENATE BILL NO. 1110—

BY SENATOR BOISSIERE

AN ACT

To enact Part I-B of Chapter 5 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:868.1 through 868.2, relative to motor vehicle insurance; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

SENATE BILL NO. 1111—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1559(K), relative to public contracts; to provide that a preference be given to products printed in Louisiana; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 1112—

BY SENATORS MOUNT AND SCHEDLER

AN ACT

To enact R.S. 46:153.3(E), relative to the Medicaid prescription drug program; to provide for unlimited access to generic prescription drugs; to provide for a limit on brand name prescription drugs for Medicaid recipients; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1113—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e) and to enact R.S. 30:2532(B)(3), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the office of environmental education; to provide relative to the use of such funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 1114—

BY SENATORS ULLO AND DEAN

AN ACT

To amend and reenact R.S. 56:424(C), 432, 433(B)(1), (C) and (D) and 439 and to enact R.S. 56:424.1, relative to the taking of oysters; to authorize agreements granting certain designated areas of public oyster beds for redevelopment of unproductive oyster beds by certain oyster fishermen cooperatives; to provide requirements to such agreements; to provide for the taking of oysters in such designated areas; to provide for issuance of oyster tags; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

SENATE BILL NO. 1115—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and to repeal Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 1116—

BY SENATORS SMITH AND MCPHERSON

AN ACT

To enact Subpart M of Part IV of Chapter I of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.191 through 140.227, relative to the physical development of the city of Alexandria; to create the Alexandria Metropolitan Planning Commission; to provide for its governance, duties and powers; to create a master plan for the city of Alexandria in Rapides Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 1117—
BY SENATOR GAUTREAUX**AN ACT**

To amend and reenact R.S. 30:2000.3(B), the introductory paragraph of R.S. 30:2000.4(A), the introductory paragraph of R. S. 30:2000.4(B), R.S. 30:2000.5(B)(1) and (2) and to enact R.S. 30:2000.2(7), relative to the Atchafalaya Basin Program; to provide for the powers, duties, and functions of the secretary of the Department of Natural Resources; to provide for retroactive application; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

SENATE BILL NO. 1118—
BY SENATOR HOYT**AN ACT**

To enact R.S. 30:2015.1, relative to the remediation of groundwater; to provide for purpose; to provide for remediation plans and oversight by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for expenditure of funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

SENATE BILL NO. 1119—
BY SENATOR SCHEDLER**AN ACT**

To amend and reenact Sections 2 and 3 and to enact Section 1(C), Section 1.1, and Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to abolish the current board of commissioners for St. Tammany Parish Hospital Service District No. 2 and to provide for the appointment of a new board; to provide for a nominating committee to nominate candidates to the appointing authorities; to provide for the qualifications for members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 2; to provide for terms of office for the nominating committee and the board of commissioners; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1120—
BY SENATOR MICHOT**AN ACT**

To enact Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846; relative to durable medical equipment; to enact the Durable Medical Equipment Licensure Law; to provide for definitions; to provide for licensing of durable medical equipment; to provide for penalties and enforcement; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

SENATE BILL NO. 1121—
BY SENATOR DUPRE**AN ACT**

To enact R.S. 47:2110.1 and to repeal Section 2, of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property tax; to provide for a rule to determine undisputed tax; to provide for expedited procedures and burdens of proof; to provide for the continuance of certain provisions of ad valorem property tax law and the application of the law to certain payments; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 1122—
BY SENATOR JOHNSON**AN ACT**

To amend and reenact the introductory paragraph of R.S. 33:9074(D)(3), (4) and (5), (E)(1)(a) and (2), and (H)(2), relative to the Spring Lake Subdivision Improvement District; to provide for a majority approval of any fees or taxes imposed within the district; to extend the taxing authority; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 1123—
BY SENATOR FIELDS**AN ACT**

To amend and reenact R.S. 40:490(B) and to enact R.S. 40:490(C), relative to tax exemptions; to require a housing authority to make payments in lieu of taxes to certain school boards; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1124—
BY SENATOR FONTENOT**AN ACT**

To enact Chapter 45 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2751 through 2760, relative to economic development; to create the Louisiana Retention and Modernization Program; to provide for incentive rebates to certain businesses to remain in Louisiana which are at high risk for relocation to another state; to provide incentive rebates to certain businesses which modernize their existing operations in this state; to provide for criminal penalties; to provide for rules and regulations; to provide for definitions; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1125—
BY SENATOR CAIN**AN ACT**

To enact R.S. 43:31.2, relative to certain printing and distribution prohibitions; to provide that no branch, department, agency, official, employee, or other entity of state government or any political subdivision thereof from knowingly and intentionally printing or distributing material that contains information that is false or fraudulent; to provide for liability for and recovery of the costs in the case of a violation; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 1126—
BY SENATOR LENTINI**AN ACT**

To amend and reenact R.S. 51:2453(1)(a)(i)(cc), relative to the quality jobs program; to provide for the percentage of health insurance premium to be paid by the employer for certain employees in order to qualify under the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1127—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 47:303.1(B) through (H), and enact R.S. 47:303.1(I) through (M), relative to direct payment numbers; to delete the requirement that the taxpayer's primary business in the state is that of a manufacturer; to clarify the requirement specifying that a taxpayer have an annual average of fifteen million dollars of taxable purchases or leases of tangible personal property and taxable services; to authorize a fee for issuance of a direct payment number; to require the taxpayer to agree to use sampling in the performance of audits; to specify the applicable use of the direct payment number; to prohibit the use of direct payment numbers by certain taxpayers; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 1128—
BY SENATOR ADLEY

AN ACT

To enact R.S. 30:2015.1, relative to the remediation of groundwater; to provide for purpose; to provide for notice of actions to recover damages for groundwater contamination; to provide for certain state departments intervening or being made parties to such actions; to provide for remediation plans and oversight by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for expenditure of funds from such registry; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

SENATE BILL NO. 1129—
BY SENATORS FONTENOT, MARIONNEAUX, AND CAIN
AN ACT

To amend and reenact R.S. 30:2418(I) and enact R.S. 30:2418 (M)(3) and (4) and (N), relative to the disposal of waste tires; to provide relative to fees collected on new tires; to provide relative to documentation verifying the tires are generated in Louisiana; to provide for the limitation of tire processor's licenses; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

SENATE BILL NO. 1130—
BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893.3, relative to sentences imposed on certain crimes; to provide relative to certain felonies; to provide relative to certain violent misdemeanors; to provide relative to certain standards of proof; to provide relative to sentences imposed involving the possession or the use of firearms; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 24—
BY SENATOR MCPHERSON

A RESOLUTION

To urge and request that the Senate Select Committee on Consumer Affairs study contracts with an automatic renewal clause.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

SENATE RESOLUTION NO. 25—
BY SENATOR THOMAS

A RESOLUTION

To commend the players, coaches, and managerial personnel of the 2002-2003 Oak Forest Yellow Jackets on winning the Mississippi Private School Association Class AA State Football Championship.

On motion of Senator Thomas, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 26—
BY SENATOR HOYT

A RESOLUTION

To direct the Senate Committee on Environment Quality to meet on Tuesday, May 6, 2003 at 9:30 o'clock a.m. and report House Bill 1570 to the Senate.

On motion of Senator Lambert, the resolution was read by title and returned to the Calendar, subject to call.

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATORS SCHEDLER, HAINKEL, THOMAS AND
REPRESENTATIVES WINSTON, CROWE, SCHNEIDER, AND STRAIN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to continue and expand the capacity projects included in the highway priority program, particularly in St. Tammany Parish.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To urge and request the Atchafalaya Basin Program to study Henderson Lake, located in the Atchafalaya Basin Swamp, and to make recommendations for its long-term viability including water quality, recreation features, economic development, and tourism.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the School Finance Review Commission to study and make recommendations for including in the minimum foundation program formula a funding component specifically for funding those students in schools located in areas that have high concentrations of poverty.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 29, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1554—BY REPRESENTATIVES MURRAY, DEWITT, AND TUCKER
AN ACT

To amend and reenact R.S. 23:1514(A)(1), (B), and (C), 1553(B)(7)(a) (introductory paragraph), (8), (9)(a) (introductory paragraph), (10), and (11)(a) (introductory paragraph) and to repeal R.S. 23:1474(J), relative to the workforce development training account; to provide for individual, standardized training of incumbent workers; to provide for eligibility requirements for businesses; to establish procedure for requests for training and reimbursements; to provide to selection of training provider; to allow the use of funds to cover unemployment insurance functions; and to provide for related matters.

HOUSE BILL NO. 1378—BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 39:100.1(C) and to enact R.S. 39:100.1(D) and R.S. 47:1602.1, relative to the Sports Facility Assistance Fund; to provide for the use of monies in the fund; to provide for the attribution of income taxes to the fund; to provide for penalties for failure of nonresident professional athletes and professional sports franchises to file income tax returns; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1362—BY REPRESENTATIVES DANIEL, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN
AN ACT

To amend and reenact R.S. 3:4622 and to enact R.S. 3:4603(B)(9), relative to weights and measures; to provide for the appointment of commission members; to increase the registration fees for commercial weighing and measuring devices; to create the Weight and Measures Fund; to provide for deposit to the fund and appropriation from the fund; and to provide for related matters.

HOUSE BILL NO. 1614—BY REPRESENTATIVES TUCKER AND ARNOLD
AN ACT

To amend and reenact R.S. 14:71.2, R.S. 16:15.1, and R.S. 47:820.5.1 and 820.5.2 and to enact R.S. 47:820.5.3, relative to toll collections on the Crescent City Connection and the Greater New Orleans Expressway; to provide for police powers of the Crescent City Connection Division and of the Greater New Orleans Expressway Commission; to facilitate collection of tolls by video or photo-monitoring systems; to provide penalties; to provide for the crime of failure to pay bridge or causeway tolls; and to provide for related matters.

HOUSE BILL NO. 1358—BY REPRESENTATIVES BRUNEAU AND LANCASTER (BY FEDERAL MANDATE)
AN ACT

To amend and reenact R.S. 18:24 and 574(A)(2) and to enact Subparts F and G of Part V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.

18:566 through 567.6, relative to provisional voting and Title III complaint procedures as mandated by the Help America Vote Act of 2002; to provide for the powers and duties of the state board of election supervisors to extend to Title III complaint procedures; to provide for the compilation and promulgation of election results to include any counted provisional votes; to provide for provisional voting on election day and in person absentee; to provide for provisional voting in the event that the poll hours of an election for federal office are extended; to provide for the registrar of voters to record who uses a provisional ballot; to provide for agencies to provide and compile information as necessary to determine whether a provisional ballot shall be counted; to provide for the tabulation of provisional votes; to provide for the voter to determine whether his provisional vote was counted; to provide for a complaint procedure for alleged violations of Title III of the Help American Vote Act; to provide for a procedure for filing a complaint; to provide for procedures for processing the complaint; to provide for the board to conduct a hearing and provide a final decision and the reasons therefor; to provide for remedies; to provide for the Division of Administrative Law to assign the complaint to an administrative law judge if the complaint is not heard or decided timely by the board of election supervisors; to provide for the computation of time intervals; to provide for the complaint procedure to be exempt from the administrative hearing process of Chapter 13-B of Title 49; to provide for judicial review of a final decision of the board or resolution of the administrative law judge; and to provide for related matters.

HOUSE BILL NO. 1228—BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 423(A)(2) and (3), relative to juvenile court; to authorize hearing officers to accept agreements reached in mediation; to provide for application to parishes with a population over four hundred forty thousand; to provide for expiration; and to provide for related matters.

HOUSE BILL NO. 1776—BY REPRESENTATIVES MONTGOMERY AND L. JACKSON
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(a), (b), and (c)(i), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to change the dedication of certain monies derived from the conduct of slot machine gaming in Bossier Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 585—BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 56:769, relative to wildlife management areas; to provide for leases within the Maurepas Wildlife Management Area; to provide for terms of leases; to provide for renewal of leases; to provide for removal of permanent improvements; to provide for subordination of leases to mineral leases; and to provide for related matters.

HOUSE BILL NO. 639—BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 17:416(C)(2)(a)(ii) and (b)(ii), relative to the expulsion of students found guilty of certain drug offenses; to provide for an exception to such required expulsion under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1445—

BY REPRESENTATIVES HEBERT AND TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(4), relative to investments by domestic insurers; to provide for bonds by public entities; to provide for limits; and to provide for related matters.

HOUSE BILL NO. 1067—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:969.15(A)(introductory paragraph) and (1) and R.S. 9:3527(A)(introductory paragraph) and (1) and (C)(1) and to repeal R.S. 9:3527(C)(2), relative to consumer credit; to provide relative to delinquency charges in motor vehicle credit transactions and consumer credit transactions; to provide relative to written notices of delinquency charges; and to provide for related matters.

HOUSE BILL NO. 981—

BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 9:4751(2), relative to dieticians; to include "dietician" in a certain definition of "health care provider"; and to provide for related matters.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1) and 104(A)(3) and (4) and to repeal R.S. 56:140, to authorize the taking of bobcats and foxes under a big game hunting license; and to provide for related matters.

HOUSE BILL NO. 1230—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:570(E) and (F), relative to execution; to provide that the identities of certain persons who participate in executions of the death sentence shall be confidential; and to provide for related matters.

HOUSE BILL NO. 1250—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 47:1642, relative to the criminal penalty for tax evasion; to increase the penalty for tax evasion; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1266—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Criminal Procedure Article 914(B), relative to appeals; to provide for the time in which a motion for an appeal must be made; and to provide for related matters.

HOUSE BILL NO. 1528—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(26) and (27), relative to responsive verdicts; to provide for responsive verdicts for theft and attempted theft; and to provide for related matters.

HOUSE BILL NO. 1641—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact Code of Criminal Procedure Articles 262, 271(A), and 272, and to enact Code of Criminal Procedure Article 262.1 and 281, relative to extradition; to provide with respect to the authority of the governor in extradition cases; to provide with respect to admitting a person to bail in extradition cases; to provide with respect to the surrender of a person against whom a criminal prosecution is pending in this state; to provide authority to charge an extradited person with crimes other than the crime for which he was extradited; and to provide for related matters.

HOUSE BILL NO. 1800 (Substitute for House Bill No. 1076 by Representative Powell)—

BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 34:1951 and 1952 and to repeal R.S. 34:1952.1, relative to the South Tangipahoa Parish Port Commission; to provide that the governing authority of Tangipahoa Parish shall serve as the port commission; to delete provisions relative to the appointment, compensation, and vacancies, relative to commission members; to delete certain provisions relative to commission meetings; to provide relative to the powers of the governing authority; to authorize the governing authority to hire a port director; to provide relative to the port director's powers and duties; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 585—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 56:769, relative to wildlife management areas; to provide for leases within the Maurepas Wildlife Management Area; to provide for terms of leases; to provide for renewal of leases; to provide for removal of permanent improvements; to provide for subordination of leases to mineral leases; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 639—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 17:416(C)(2)(a)(ii) and (b)(ii), relative to the expulsion of students found guilty of certain drug offenses; to provide for an exception to such required expulsion under certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 981—

BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 9:4751(2), relative to dieticians; to include "dietician" in a certain definition of "health care provider"; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1067—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.15(A)(introductory paragraph) and (1) and R.S. 9:3527(A)(introductory paragraph) and (1) and (C)(1) and to repeal R.S. 9:3527(C)(2), relative to consumer credit; to provide relative to delinquency charges in motor vehicle credit transactions and consumer credit transactions; to provide relative to written notices of delinquency charges; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1) and 104(A)(3) and (4) and to repeal R.S. 56:140, to authorize the taking of bobcats and foxes under a big game hunting license; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1228—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Article 423(A)(2) and (3), relative to juvenile court; to authorize hearing officers to accept agreements reached in mediation; to provide for application to parishes with a population over four hundred forty thousand; to provide for expiration; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1230—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:570(E) and (F), relative to execution; to provide that the identities of certain persons who participate in executions of the death sentence shall be confidential; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1250—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 47:1642, relative to the criminal penalty for tax evasion; to increase the penalty for tax evasion; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1266—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Criminal Procedure Article 914(B), relative to appeals; to provide for the time in which a motion for an appeal must be made; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1358—

BY REPRESENTATIVES BRUNEAU AND LANCASTER (BY FEDERAL MANDATE)

AN ACT

To amend and reenact R.S. 18:24 and 574(A)(2) and to enact Subparts F and G of Part V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:566 through 567.6, relative to provisional voting and Title III complaint procedures as mandated by the Help America Vote Act of 2002; to provide for the powers and duties of the state board of election supervisors to extend to Title III complaint procedures; to provide for the compilation and promulgation of election results to include any counted provisional votes; to provide for provisional voting on election day and in person absentee; to provide for provisional voting in the event that the poll hours of an election for federal office are extended; to provide for the registrar of voters to record who uses a provisional ballot; to provide for agencies to provide and compile information as necessary to determine whether a provisional ballot shall be counted; to provide for the tabulation of provisional votes; to provide for the voter to determine whether his provisional vote was counted; to provide for a complaint procedure for alleged violations of Title III of the Help American Vote Act; to provide for a procedure for filing a complaint; to provide for procedures for processing the complaint; to provide for the board to conduct a hearing and provide a final decision and the reasons therefor; to provide for remedies; to provide for the Division of Administrative Law to assign the complaint to an administrative law judge if the complaint is not heard or decided timely by the board of election supervisors; to provide for the computation of time intervals; to provide for the complaint procedure to be exempt from the administrative hearing process of Chapter 13-B of Title 49; to provide for judicial review of a final decision of the board or resolution of the administrative law judge; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1362—

BY REPRESENTATIVES DANIEL, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:4622 and to enact R.S. 3:4603(B)(9), relative to weights and measures; to provide for the appointment of commission members; to increase the registration fees for commercial weighing and measuring devices; to create the Weight and Measures Fund; to provide for deposit to the fund and appropriation from the fund; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1378—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 39:100.1(C) and to enact R.S. 39:100.1(D) and R.S. 47:1602.1, relative to the Sports Facility Assistance Fund; to provide for the use of monies in the fund; to provide for the attribution of income taxes to the fund; to provide for penalties for failure of nonresident professional athletes and professional sports franchises to file income tax returns; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1445—

BY REPRESENTATIVES HEBERT AND TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(4), relative to investments by domestic insurers; to provide for bonds by public entities; to provide for limits; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1528—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(26) and (27), relative to responsive verdicts; to provide for responsive verdicts for theft and attempted theft; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1554—

BY REPRESENTATIVES MURRAY, DEWITT, AND TUCKER
AN ACT

To amend and reenact R.S. 23:1514(A)(1), (B), and (C), 1553(B)(7)(a) (introductory paragraph), (8), (9)(a) (introductory paragraph), (10), and (11)(a) (introductory paragraph) and to repeal R.S. 23:1474(J), relative to the workforce development training account; to provide for individual, standardized training of incumbent workers; to provide for eligibility requirements for businesses; to establish procedure for requests for training and reimbursements; to provide to selection of training provider; to allow the use of funds to cover unemployment insurance functions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1614—

BY REPRESENTATIVES TUCKER AND ARNOLD
AN ACT

To amend and reenact R.S. 14:71.2, R.S. 16:15.1, and R.S. 47:820.5.1 and 820.5.2 and to enact R.S. 47:820.5.3, relative to toll collections on the Crescent City Connection and the Greater New Orleans Expressway; to provide for police powers of the Crescent City Connection Division and of the Greater New Orleans Expressway Commission; to facilitate collection of tolls by video or photo-monitoring systems; to provide penalties; to provide for the crime of failure to pay bridge or causeway tolls; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1641—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact Code of Criminal Procedure Articles 262, 271(A), and 272, and to enact Code of Criminal Procedure Article 262.1 and 281, relative to extradition; to provide with respect to the authority of the governor in extradition cases; to provide with respect to admitting a person to bail in extradition cases; to provide with respect to the surrender of a person against whom a criminal prosecution is pending in this state; to provide authority to charge an extradited person with crimes other than the crime for which he was extradited; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1776—

BY REPRESENTATIVES MONTGOMERY AND L. JACKSON
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(a), (b), and (c)(i), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic

Redevelopment and Gaming Control Act; to change the dedication of certain monies derived from the conduct of slot machine gaming in Bossier Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1800 (Substitute for House Bill No. 1076 by Representative Powell)—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951 and 1952 and to repeal R.S. 34:1952.1, relative to the South Tangipahoa Parish Port Commission; to provide that the governing authority of Tangipahoa Parish shall serve as the port commission; to delete provisions relative to the appointment, compensation, and vacancies, relative to commission members; to delete certain provisions relative to commission meetings; to provide relative to the powers of the governing authority; to authorize the governing authority to hire a port director; to provide relative to the port director's powers and duties; and to provide for related matters.

The bill was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**JUDICIARY A**

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 29, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 255—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Art. 2031, relative to revival of judgments; to provide for the revival of money judgments by ex parte motion; to remove the requirement of serving the judgment debtor; to provide that notice of signing of the judgment of revival be sent to the debtor; to provide for attorney's fees; to provide for annulment of a judgment revived by fraud or in error; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 304—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 3603.1(A), 3604(C), 3607.1(A), and 3610, Code of Criminal Procedure Arts. 29(B), 30, 327.1, 335.1(A), 871.1 and 895(L)(1), R.S. 9:366 and 372(A), R.S. 13:4243(B) and 4248(A) and (C), R.S. 14:79(A)(1) and (2) and (E), R.S. 46:2135 (A)(2), 2136(A)(2), 2136.2(A) and (B), the introductory paragraph of 2140, 2140(1) and (2) and to enact R.S. 9:372.1, R.S. 46:1842(9)(d) and 2151(C), all relative to domestic violence; to provide for payment of costs for a peace bond and security for a temporary restraining order or preliminary injunction by a victim of domestic violence; to provide for filing and transmittal of

Uniform Abuse Prevention Orders; to provide for the definition of dating violence; to provide for protective order relief relative to possession of the family home; to provide for the duties of law enforcement officers relative to domestic abuse; to provide for injunctions against harassment; to delete certain notice requirements in protective order proceedings; to provide relative to the violation and enforcement of foreign protective orders; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 572—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to provide that the cost limitation shall apply to any party to pending litigation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 612—

BY SENATOR B. JONES

AN ACT

To enact R.S. 46:153.4 and to repeal R. S. 46:153(G), relative to the Department of Health and Hospitals; to provide for the Medicaid Estate Recovery program in the department; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 802—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:315.14, relative to child support; to provide an exception to the mandatory minimum payment in certain cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 851—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(1), relative to jury trials; to provide for the limitations on the availability of jury trials; to reduce the monetary amount in controversy necessary to have a jury trial; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 855—

BY SENATOR ELLINGTON

AN ACT

To amend R.S. 9:315(C)(4)(a), relative to the determination of child support; to provide for a gift to be included when determining gross income for the purposes of child support; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 965—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 13:5209(B) and to enact R.S. 13:5206.1, relative to small claim courts; to provide for the waiver of right to appeal; to provide for the transfer of proceedings from small claims division; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1041—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:2440, relative to testaments; to provide for the continued validity of certain previously executed testaments; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to limit the appellate jurisdiction of the federal courts regarding the recitation of the Pledge of Allegiance in public schools.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 29, 2003

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

SENATE BILL NO. 402—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2012(D), relative to environmental quality; to provide that the Department of Environmental Quality develop new criteria for compliance inspections; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 576—

BY SENATORS FONTENOT AND CAIN

AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 577—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 30:2025(D), relative to enforcement of environmental violations; to provide for citations for minor environmental violations; to authorize the secretary to promulgate rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 582—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 30:2006, relative to environmental quality; to provide for the mandatory notification of residents by certain state

agencies for environmental contamination; to provide for a definition of "notice"; and to provide for related matters.

Reported favorable.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 254 from the Committee on Judiciary A.

SENATE BILL NO. 254— BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Art. 4851(B), relative to venue of city courts; to expand the venue of a city court to the parish limit, less the territorial jurisdiction of another city court situated in the parish; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and withdrawn from the files of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 29, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 50— BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate May 7, 2003 as "Louisiana Day to Prevent Teen Pregnancy and Score Big".

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie	½ Day	Bean	1 Day
Cravins	½ Day	Fields	½ Day
Fontenot	½ Day	Heitmeier	½ Day
Johnson	½ Day	C. Jones	1 Day
McPherson	½ Day	Romero	½ Day
Thomas	½ Day		

Adjournment

Senator Ellington moved that the Senate adjourn until Wednesday, April 30, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Wednesday, April 30, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk